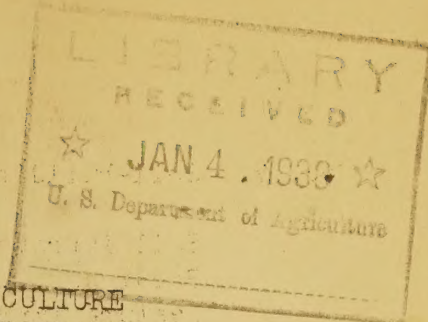


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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

1938 AGRICULTURAL CONSERVATION PROGRAM

NORTH CENTRAL REGION

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THE AGRICULTURAL CONSERVATION PROGRAM OF 1939 IN THE
NORTH CENTRAL REGION

The fundamental purposes of the Agricultural Conservation Program of 1939 are: (1) to conserve and improve the soil resources of the nation; (2) to stabilize and maintain adequate food supplies for consumers; and (3) to help farmers secure their fair share of the national income.

To carry out these purposes the program provides for payments to farmers to help them pay at least part of the cost of conserving their soil by diverting acreage from soil-depleting crops and by putting soil-building practices into effect.

The program is authorized by the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938. The provisions of the program are subject to such laws affecting the program as Congress may enact and are dependent upon funds appropriated by Congress. The amounts of the payments will be within the limits determined by those funds, by distribution of the funds according to the 1938 Farm Act, and the extent of participation in the program. As an adjustment for participation the rates of payment and deduction upon any commodity or other item may be increased or decreased by as much as ten percent.

The program for the North Central Region does not apply to (1) Boone County, Indiana, and Licking County, Ohio (experimental counties for which special programs are in effect), and (2) land in which the beneficial ownership is in the United States.

This bulletin contains all the provisions of the 1939 Agricultural Conservation Program except certain provisions which apply in cotton and wind erosion counties. In cotton and wind erosion counties the appropriate supplement should be used with this bulletin.

Sec. 1. Definitions.

(1) STATE COMMITTEE means the group of persons designated within any State to assist in the administration of the agricultural conservation programs in such State.

(2) COUNTY COMMITTEE means the group of persons elected within any county to assist in the administration of the agricultural conservation programs in such county.

(3) COMMUNITY COMMITTEE means the group of persons elected within any minor civil division to assist in the administration of the agricultural conservation programs in the minor civil division.

(4) NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

(5) COMMERCIAL CORN AREA means commercial corn-producing area which includes counties producing an average of at least 450 bushels of corn per farm and 4 bushels of corn per acre of farm land during the past 10 years. It also includes bordering counties containing minor civil divisions producing and likely to produce an average of 450 bushels of corn per farm and 4 bushels of corn per acre of farm land. The area consists of the following counties:

Illinois: All counties except Franklin, Jefferson, and Williamson.

Indiana: All counties except Brown, Clarke, Crawford, Floyd, Harrison, Jefferson, Monroe, Ohio, Perry, and Switzerland.

Iowa: All counties.

Michigan: Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, St. Joseph, Washtenaw, and Wayne.

Minnesota: Big Stone, Blue Earth, Brown, Carver, Chippewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Grant, Houston, Jackson, Kandiyohi, Lac qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Stevens, Swift, Traverse, Wabasha, Waseca, Watonwan, Winona, Wright, and Yellow Medicine.

Missouri: Adair, Andrew, Atchison, Audrain, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Cape Girardeau, Carroll, Cass, Chariton; Clark, Clay, Clinton, Cooper, Daviess, DeKalb, Dunklin, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Marion, Mercer, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Pemiscot, Perry, Pettis, Pike, Platte, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Vernon, and Worth.

Nebraska: All counties except Arthur, Banner, Blaine, Boyd, Box Butte, Brown, Cherry, Cheyenne, Dawes, Deuel, Dundy, Garden, Garfield, Grant, Holt, Hooker, Keith, Keyapaha, Kimball, Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, and Wheeler.

Ohio: All counties except Ashtabula, Athens, Belmont, Carroll, Columbiana, Cuyahoga, Gallia, Geauga, Guernsey, Harrison, Hocking, Jackson, Jefferson, Lake, Lawrence, Mahoning, Meigs, Monroe, Morgan, Noble, Portage, Stark, Summit, Trumbull, Tuscarawas, Vinton, and Washington.

South Dakota: Bon Homme, Brookings, Clay, Deuel, Grant, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Minnehaha, Moody, Roberts, Turner, Union, and Yankton.

Wisconsin: Columbia, Crawford, Dane, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk, and Walworth.

(6) COMMERCIAL POTATO AREA means commercial potato producing area which includes counties containing 50 or more farms which during the five years 1933 to 1937 planted at least 3 acres and produced at least 200 bushels of Irish potatoes for market. The area consists of the following counties:

Indiana: Allen, Clark, DeKalb, Elkhart, Floyd, Fulton, Harrison, Kosciusko, Lagrange, Lake, LaPorte, Marshall, Noble, Porter, St. Joseph, Starke, Steuben, and Whitley.

Michigan: All counties except Alcona, Alger, Arenac, Baraga, Clare, Clinton, Crawford, Eaton, Gogebic, Gratiot, Iron, Keweenaw, Lapeer, Mackinac, Oscoda, Ontonagon, and Roscommon.

Minnesota: Aitkin, Anoka, Becker, Beltrami, Benton, Carlton, Cass, Chisago, Clay, Clearwater, Crow Wing, Dakota, Douglas, Freeborn, Hennepin, Hubbard, Isanti, Itasca, Kanabec, Kittson, Mahanomen, Marshall, Mille Lacs, Morrison, Mower, Norman, Otter Tail, Pennington, Pine, Polk, Ramsey, Red Lake, Roseau, St. Louis, Sherburne, Stearns, Todd, Wadena, Washington, Wilkin, Winona, and Wright.

Missouri: Clay, Jackson, Ray, and St. Louis.

Nebraska: Banner, Box Butte, Buffalo, Cheyenne, Dakota, Dawes, Dawson, Kimball, Morrill, Scotts Bluff, Sheridan, and Sioux.

Ohio: Allen, Ashland, Ashtabula, Auglaize, Clark, Columbiana, Cuyahoga, Darke, Erie, Fulton, Geauga, Hamilton, Hardin, Huron, Lake, Lorain, Lucas, Mahoning, Medina, Miami, Morrow, Portage, Richland, Sandusky, Seneca, Stark, Summit, Trumbull, and Wayne.

South Dakota: Brookings, Codington, Deuel, and Hamlin.

Wisconsin: All counties except Ashland, Bayfield, Buffalo, Calumet, Clark, Crawford, Douglas, Green, Iowa, Iron, Jefferson, LaCrosse, Lafayette, Monroe, Pepin, Pierce, Richland, Rock, St. Croix, Trempealeau, Vernon, Vilas, and Walworth.

(7) **COMMERCIAL VEGETABLE AREA** means commercial vegetable producing area which includes counties designated as normally producing substantial quantities of commercial vegetables and as having an average acreage of commercial vegetables in 1936 and 1937 of at least 100 acres, grown on farms with an acreage of at least three acres of commercial vegetables.

(8) **WIND EROSION AREA** consists of the nonirrigated portions of all counties in Nebraska and South Dakota except the following:

Nebraska: Burt, Butler, Cass, Cedar, Clay, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Hamilton, Jefferson, Johnson, Knox, Lancaster, Nemaha, Nuckolls, Stoe, Pawnee, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, York.

South Dakota: Bon Homme, Brookings, Clay, Codington, Deuel, Grant, Hamlin, Hanson, Hutchinson, Lake, Lincoln, McCook, Miner, Minnehaha, Roberts, Turner, Union, and Yankton.

(9) **FARM** means all adjacent or nearby farm land under the same ownership, whether operated by one person or field-rented in whole or in part to one or more persons, and constituting a unit with respect to the rotation of crops.

If the operator and all the owners entitled to share in the crops request and agree, a farm may include any adjacent or nearby farm land operated by the same person as part of the same unit in the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land if the county committee determines that:

- (a) There is one crop rotation system on the entire area of land;
- (b) The yields and productivity of the differently owned tracts do not vary substantially;
- (c) The combination is not being made for the purpose of increasing acreage allotments or primarily for the purpose of affecting performance; and
- (d) The differently-owned tracts are customarily, and will be in 1939, regarded in the community as a farm.

A farm is regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it is regarded as located in the county in which the major portion of the farm is located.

(10) NON-CORN-ALLOTMENT FARM means a farm in the commercial corn area for which a corn allotment of 8 acres or less is determined and one or more persons who will have an interest in the corn planted on the farm elect at the time the Farm Plan for Participation in the 1939 Program, NCR-303, is completed, to have the farm considered as a non-corn-allotment farm.

(11) NON-WHEAT-ALLOTMENT FARM means a farm for which a wheat allotment of 8 acres or less is determined and one or more persons who will have an interest in the wheat planted on the farm elect, at the time the Farm Plan for Participation in the 1939 Program, NCR-303, is completed, to have the farm considered as a non-wheat-allotment farm.

(12) NON-GENERAL-ALLOTMENT FARM means a farm for which a total soil-depleting allotment (excluding the cotton allotment), of 20 acres or less is determined and one or more persons who will have an interest in the general soil-depleting crops planted on the farm elect at the time the Farm Plan for Participation in the 1939 Program, NCR-303, is completed, to have the farm considered as a non-general-allotment farm.

(13) WIND-EROSION FARM means a farm in the wind erosion area which is owned or leased by a conservation district, an association organized for conservation purposes, or a State agency authorized by law to own or lease land for conservation or wind erosion control purposes.

(14) ACREAGE PLANTED TO CORN means the acreage of land seeded

to field corn, sweet corn, or popcorn, except: (1) any acreage of sweet corn contracted to be sold for canning or freezing; (2) any acreage of sweet corn sold for canning, roasting ears, or freezing; (3) any acreage of sweet corn to be sold or used as seed; (4) any acreage of popcorn sold or to be used as seed; (5) any acreage of sown or close-drilled corn used as a cover crop or green manure crop; and (6) any acreage of sweet corn or popcorn grown in home gardens for use on the farm.

(15) ACREAGE PLANTED TO WHEAT means (1) any acreage of land devoted to seeded wheat (excluding wheat mixtures) which is on the farm on or after December 15, 1938; (2) any acreage of land devoted to volunteer wheat which remains on the land until May 1, 1939; and (3) any acreage of land which is seeded to a wheat mixture specified herein but the crops other than wheat fail to reach maturity and the wheat is harvested for grain or hay. WHEAT MIXTURE means a mixture containing less than 50 percent by weight of wheat, or containing 25 percent or more by weight of rye, barley, vetch, or Austrian winter peas which may reasonably be expected to produce a crop containing such proportions of plants other than wheat that the crop could not be harvested as wheat for grain or seed.

(16) GENERAL CROPS means all crops and land uses classified as soil-depleting, except sugar beets for sugar and the crops for which special crop acreage allotments are established for the farm.

(17) COMMERCIAL VEGETABLES means the acreage of vegetables or truck crops (including potatoes on farms where a potato allotment is not established, sweetpotatoes, tomatoes, sweet corn for roasting ears, melons, cantaloupes, strawberries, and commercial bulbs and flowers, but excluding peas for canning and artichokes for use other than as vegetables) of which the principal part of the production is sold to persons not living on the farm.

(18) COMMERCIAL ORCHARDS means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, or bush fruits on the farm on January 1, 1939 (excluding nonbearing orchards and vineyards), from which the principal part of the production is normally sold.

(19) PERSON means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(20) LANDLORD means a person who owns land and rents such land to another person or operates such land.

(21) TENANT means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.

(22) SHARECROPPER means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or the proceeds thereof.

(23) CROPLAND means farm land which in 1938 was tilled or was in regular rotation excluding restoration land and any land which constitutes, or will constitute, if such tillage is continued, a wind erosion hazard to the community and excluding also any land in commercial orchards.

Land that was not devoted between January 1, 1933, and January 1, 1939, to the production of intertilled crops, small grain crops, or conserving crops seeded in regular rotation, should be considered noncropland, unless such land is suitable for the production of soil-depleting crops without clearing, draining, or irrigating; is definitely equal to or superior to the land in the community used for the production of soil-depleting crops, with respect to productivity and adaptability to the production of such crops; if tilled will not become a serious wind or water erosion hazard; and will in the normal course of the crop rotation on the farm be used for the production of soil-depleting crops.

However, in the wind erosion area, land that has never been tilled should in no event be classified as cropland. Furthermore, land which has been tilled but cropping of which has been abandoned since January 1, 1934, due to subnormal productivity or severe wind or water erosion, should in no case be classified as cropland. However, land which otherwise would satisfy the definition of cropland may be classified as restoration land if such land has been devoted to the production of tilled crops since January 1, 1930.

Land that was devoted between January 1, 1933 and January 1, 1939, to the production of crops should be considered noncropland if it is no longer cropped or suitable to the production of soil-depleting crops, by reason of severe erosion, lack of clearing or

draining, or discontinuance of irrigation, and is inferior to the land in the farm used for the production of soil-depleting crops, with respect to the productivity and adaptability to the production of such crops.

(24) RESTORATION LAND means farm land in the wind erosion area which has been cropped at least once since January 1, 1930, and which is designated by the county committee as land on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

(25) NONCROP OPEN PASTURE LAND means pasture land (other than rotation pasture land and range land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(26) SPECIAL ALLOTMENT means a corn, cotton, wheat, tobacco, commercial vegetable, or potato acreage allotment.

Sec. 2. National and State acreage allotments and goals.

a. National Goals. The national goals of the 1939 program are:

(1) The following acreages of soil-depleting crops:

Total soil-depleting crops	270,000,000 to 285,000,000 acres
Corn	94,000,000 to 97,000,000 acres
Wheat	55,000,000 to 60,000,000 acres
Tobacco	
Burley	375,000 to 400,000 acres
Fire-cured and dark air-cured	160,000 to 170,000 acres
Cigar filler and binder.	85,000 to 90,000 acres
Potatoes	3,100,000 to 3,300,000 acres
Cotton	27,000,000 to 29,000,000 acres

(2) Conservation of the cropland not needed in 1939 for growing soil-depleting crops; restoration of a permanent vegetative cover on land unsuited to continued production of cultivated crops; and carrying out soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

b. State acreage allotments. The State acreage allotments for States in the North Central Region are:

	Acres (thousands)
(1) Total soil-depleting crops	
Illinois	14,692
Indiana	7,787
Iowa	16,386
Michigan	5,178
Minnesota	13,819
Missouri	9,473
Nebraska	14,009
Ohio	6,886
South Dakota	12,488
Wisconsin	6,486
Total	108,004

	Acres (thousands)
(2) Corn (for commercial corn counties)	
Illinois	7,308
Indiana	3,583
Iowa	9,274
Michigan	411
Minnesota	3,322
Missouri	3,302
Nebraska	6,876
Ohio	2,647
South Dakota	1,537
Wisconsin	742
Total	39,003

Commercial corn counties in Kansas and Kentucky 2,279

Total for commercial corn area 41,282

	Acres (thousands)
(3) Wheat	
Illinois	1,789
Indiana	1,482
Iowa	389
Michigan	670
Minnesota	1,419
Missouri	1,705
Nebraska	3,050
Ohio	1,655
South Dakota	2,944
Wisconsin	90
Total	15,193

(4) Tobacco

(a) Burley:

Illinois

Indiana

Missouri

Ohio

(b) Dark air-cured:

Indiana

(c) Cigar filler and binder:

Minnesota

Ohio

Wisconsin

(5) Potatoes (for commercial potato counties)

Acres
(thousands)

Indiana	18
Michigan	136
Minnesota	174
Missouri	7
Nebraska	65
Ohio	33
South Dakota	14
Wisconsin	<u>111</u>

Total

556

Sec. 3 County acreage allotments and goals. County acreage allotments are established for total soil-depleting crops, and for corn, wheat, potatoes, tobacco, cotton, and county goals are established for restoration land. The soil-depleting acreage allotments for all counties in each State do not exceed the applicable acreage allotment established for the State.

a. Total soil-depleting allotment. County acreage allotments of the total soil-depleting crops are established by distributing the State acreage allotment of total soil-depleting crops among the counties in the State on the basis of the total soil-depleting allotments established for the 1938 program. Due allowance is made for trends in acreage of soil-depleting crops, changes in crop classifications, and the relationship of the special allotments established for 1938 to the special allotments established for 1939.

b. Corn allotment. County corn acreage allotments are established for the counties in the commercial corn area. The corn allotment for the commercial corn area in the State is distributed among the counties in the State in the commercial corn area. Distribution is made pro rata on the basis of the acreage planted to corn, plus the acreage diverted from corn under the agricultural adjustment and conservation programs, during the ten years 1928 to 1937, inclusive, with adjustments for abnormal weather conditions and trends in acreage.

c. Wheat allotment. County wheat acreage allotments are established by distributing the State acreage allotment among the counties in the State pro rata on the basis of the acreage seeded for wheat production, plus the acreage diverted under the agricultural adjustment and conservation programs, during the ten years 1928 to 1937, inclusive, with adjustments for abnormal weather conditions and trends in acreage.

d. Tobacco allotment. County acreage allotments for each kind of tobacco are established by distributing the State acreage allotment among the counties in the State on the basis of the county acreage allotments established under the 1938 program, taking into consideration allotments for small farms, trends in acreage, and plant bed and other diseases.

e. Potato allotment. County potato acreage allotments for counties in the commercial potato area are established by distributing the State acreage allotment of potatoes among such counties

in the State. Distribution is made pro rata on the basis of the acreage allotments established under the 1938 Program.

Sec. 4 Farm acreage allotments and goals. The county committee with the assistance of the community committees will establish acreage allotments as provided in NCR-310 and related instructions. The soil-depleting acreage allotments established for the farms in a county are not to exceed the applicable county acreage allotments established for the county.

a. Total soil-depleting allotment. The total soil-depleting acreage allotment for any farm will be determined as provided in NCR-310, on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion and the acreage of all soil-depleting crops customarily grown on the farm, taking into consideration special allotments determined for the farm. The total soil-depleting allotment for any farm is to be comparable with the allotments determined for other farms in the same community which are similar in these respects.

b. Corn allotment. Corn acreage allotments will be determined as provided in NCR-310, for farms in the commercial corn area on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The allotment for any farm is to be comparable with the allotments for other farms in the same community which are similar in these respects.

c. Wheat allotment. Wheat acreage allotments will be determined for farms on which wheat has been planted for harvest in one or more of the years 1936, 1937, and 1938. The allotments will be determined on the basis of tillable acreage, crop rotation practices as reflected in the usual acreage of wheat on the farm, type of soil, and topography. Not more than 3 percent of the county wheat acreage allotment will be apportioned to farms in the county on which wheat was not seeded for harvest in any one of the three years 1936, 1937, and 1938, on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The wheat acreage allotment for any farm is to be comparable with the allotments determined for other farms in the same community which are similar in these respects.

d. Tobacco allotment. Acreage allotments for each kind of tobacco will be determined on the basis of past acreage and production of each kind of tobacco with due allowance for the effects of abnormal

weather conditions and plant bed and other diseases; land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. The tobacco acreage allotment for any farm on which tobacco was grown in one or more of the years 1935 to 1938, inclusive, will be comparable with the allotments for other farms in the same community which are similar in these respects. In the case of burley and dark-air cured tobacco, special consideration will be given to farms for which acreage allotments are small. The allotment for any farm on which tobacco is to be produced in 1939 for the first time since 1934 will not exceed 75 percent of the allotment for other farms in the same community on which tobacco was produced since 1934 which are similar with respect to land, labor, and equipment available for the production of tobacco, crop rotation practices, and the soil and other physical factors affecting the production of tobacco.

e. Potato allotment. In counties included in the commercial potato area, a potato acreage allotment will be determined for each farm on which the acreage normally planted to potatoes for market is three acres or more. Potato acreage allotments will be established on the basis of good soil management, tillable acreage on the farm, type of soil, topography, production facilities, and the acreage of potatoes customarily grown on the farm. The potato acreage allotment for any farm will be comparable with the allotments for other farms in the same community which are similar in these respects.

f. Commercial vegetable allotment. In counties included in the commercial vegetable area a commercial vegetable acreage allotment will be established for each farm on which the average acreage of land planted to commercial vegetables in 1936 and 1937 was 3 acres or more. The commercial vegetable acreage allotment will be the average acreage for 1936 and 1937 with adjustments for abnormal weather conditions, taking into consideration the tillable acreage on the farm, type of soil, and production facilities. The sum of the commercial vegetable acreage allotments established for such farms in a county will not exceed the sum of the average annual acreages of land planted to commercial vegetables on such farms in 1936 and 1937.

g. Soil-building goal. The soil-building goal for a farm will be one unit of soil-building practices for each \$1.50 of the payment computed for the farm for commercial orchards, noncrop open pasture

land, the cropland in excess of the total soil-depleting allotment, and the soil-building payment on the commercial vegetable allotment (Sec. 86). If the farm is considered a non-general allotment farm, the soil-building goal is increased by one unit for each \$1.50 of the payment computed for the farm for general crops.

Insofar as practicable, the county committee should determine for individual farms practices to be followed in meeting the goal which are not routine practices on the farm but which are needed on the farm in order to conserve and improve soil fertility and prevent wind and water erosion.

h. Posting of acreage allotments. All acreage allotments established for farms in a county are to be posted or kept freely available for public inspection in the office of the county committee.

Sec. 5. Normal yields and productivity indexes.

a. Normal yields of special crops. The county committee with the assistance of the community committees will determine for each farm for which a corn, wheat, tobacco, potato, or cotton acreage allotment is established a normal yield for each such crop.

(1) Corn and wheat

(a) Where reliable records of the actual average yield per acre of corn or wheat, as the case may be, for the years 1928 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm will be the average of such yields adjusted for trends and abnormal weather conditions.

(b) If for any year of the ten-year period reliable records of the actual yield are not available or there was no actual yield because the crop was not planted on the farm, the county committee will determine the normal yield for the farm. This will be based upon all available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land. The yields so determined will be adjusted so that the weighted average of the normal yields for all farms in the county will equal the county average yield.

(2) Tobacco and potatoes.

The normal yield of tobacco or potatoes for any farm will be the average yield which may reasonably be expected on the land normally devoted to the crop, taking into consideration type of soil, production practices, general fertility of the land, and the yield of such crop customarily secured on the farm. The average yield of such crop for all farms in any county will not exceed the county average yield for the crop.

b. Productivity indexes. A county productivity index will be established for each county. It will vary among the counties as the productivity of the cropland in the county devoted to the production of general crops varies with the productivity of all cropland in the United States devoted to the production of such crops.

A productivity index for each farm will be determined on the basis of the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of a crop that reflects the productivity of the farm may be used. The productivity index for such farm will be adjusted if necessary to be fair and equitable as compared with the productivity indexes for other farms in the county having similar soils and productive capacity, and as contrasted with other farms in the county having different soils and productive capacity.

The weighted average of the productivity indexes for all farms in the county is not to exceed the county productivity index.

Sec. 6. Soil-depleting crops and land uses. The acreage of land, exclusive of the acreage of home gardens for use on the farm, devoted during the 1939 crop year to the following crops or uses will be classified as soil-depleting:

- (1) Corn planted for any purpose except sown or close-drilled corn used as a cover crop or green manure crop.
- (2) Grain sorghums planted for any purpose.
- (3) Sugar beets planted for any purpose.
- (4) Tobacco harvested for any purpose.
- (5) Broomcorn harvested for any purpose.
- (6) Mangels or cowbeets planted for any purpose.

- (7) Potatoes planted for any purpose.
- (8) Annual truck and vegetable crops planted for any purpose.
- (9) Perennial truck and vegetable crops harvested for any purpose.
- (10) Commercial bulbs and flowers, commercial mustard, cultivated sunflowers, mint, or hemp harvested for any purpose.
- (11) Field beans planted for any purpose.
- (12) Peas harvested for canning, freezing, dried peas, or seed.
- (13) Soybeans harvested for seed or when seed matures, except soybeans harvested for seed, other than for crushing, in the counties of Butler, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, and Stoddard in Missouri.
- (14) Flax planted for any purpose except when used as a nurse crop for biennial or perennial legumes or perennial grasses of which a good stand is established in 1939.
- (15) Cotton (See cotton supplement).
- (16) Wheat planted (acreage planted to wheat) on a wheat allotment farm.
- (17) Wheat matured as grain on a non-wheat-allotment farm. Wheat harvested for hay on a non-wheat-allotment farm, except (1) when cut green for hay and used as a nurse crop for legumes or perennial grasses of which a good stand is established in 1939, or (2) when grown in a mixture containing at least 25 percent by weight of winter legumes.
- (18) Oats, barley, rye, emmer, speltz, mixtures of these crops, or wheat mixtures matured as grain. Oats, barley, rye, emmer, speltz, mixtures of these crops, or wheat mixtures harvested for hay, except (1) when cut green for hay and used as a nurse crop for legumes or perennial grasses of which a good stand is established in 1939, or (2) when grown in mixtures containing at least 25 percent by weight of winter legumes.
- (19) Buckwheat, Sudan grass, or millet harvested for grain or seed.
- (20) Sweet sorghums, when harvested for any purpose except in Nebraska and South Dakota; when harvested for grain, seed or syrup in Nebraska and South Dakota; and when harvested for silage in the commercial corn area in Nebraska and South Dakota.

The acreage of land which is devoted simultaneously in 1939 to two or more of the soil-depleting crops specified in this section planted in alternate rows or hills will be divided among the crops on the basis of that fractional part of the land devoted to each.

In order for a portion of a field not to be classified as soil-depleting, the portion must be in a solid block contiguous to the side or end of the field and the line between such portion and the remaining portion of the field must be straight, except that such line may be on the contour on fields that are contour-farmed.

Sec. 7. Soil-building practices. The soil-building practices in the following schedule will count toward the achievement of the soil-building goal if performed in workmanlike manner and in accordance with good farming practice for the locality.

Schedule of soil-building practices.

Soil improvement.

(1) Application of the following fertilizers to or in connection with the seeding of perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, or permanent pasture will be counted toward achievement of the soil-building goal. If these fertilizers are applied to any of the above crops seeded or grown in connection with a soil-depleting crop, no part of the material applied will be counted.

(a) 300 pounds of superphosphate containing 16 percent by weight of available phosphoric acid or its equivalent 1 unit

(b) 200 pounds of muriate of potash containing 50 percent by weight of water soluble potash or its equivalent 1 unit

(c) 500 pounds of basic slag or rock phosphate 1 unit

(2) Application of 300 pounds of gypsum containing 18 percent sulphur (or its sulphur equivalent) 1 unit

(3) Application of 2,000 pounds of ground limestone or its equivalent. The ground limestone should not be coarser than that obtained by grinding calcareous or dolomitic limestone so that not less than 90 percent with all finer particles obtained in the grinding process included, will pass through a 10-mesh sieve. It must contain calcium and magnesium carbonates equivalent to not less than 80 percent of calcium carbonate. The following quantities of other calcareous substances are equivalent to 1 ton of ground limestone: 1,460 pounds of hydrated lime; 2 cubic yards of marl, sugar beet refuse lime, calcium carbide refuse lime, water softening process refuse lime, paper mill refuse lime, or commercial wood ashes; $\frac{1}{2}$ ton of commercial burnt lime; 4 cubic yards of calcareous clay; 1 ton of burnt lime waste; 1 ton of agricultural limestone meal; 2,750 pounds of limestone screenings; $2\frac{1}{2}$ tons blast furnace slag ground sufficiently so that all particles will pass through a 10-mesh sieve; 3 tons of tailings from zinc mines. 1 unit

(4) Application in commercial orchards or on commercial vegetable land of not less than two tons, air dry weight, per acre of straw or equivalent mulching materials, excluding barnyard, stockyard, and stable manure. 1 unit

(5) In orchards, or on commercial vegetable, sugar beet, or potato land; green manure crops or cover crops of oats, barley, rye, Sudan grass, millet, annual ryegrass, buckwheat, sweet sorghums, annual legumes (excluding lespedeza), biennial legumes (except as cover crops), wheat (except on sugar beet land), and mixtures of any of these crops, provided: (1) a good growth is obtained; (2) such crop is not pastured or harvested as grain, seed, hay, or forage, or otherwise taken from the land; (3) where such crop is used as a green manure crop, it is incorporated into the soil by plowing or disking before November 1, 1939, and where the land is subject to erosion, it is followed by a winter cover crop; (4) where biennial legumes are used as a green manure crop, they must be incorporated into the soil before July 1, 1939; (5) where such crop is used as a cover crop a good vegetative growth of such crop is on the land on November 1, 1939; and (6) credit is not given in 1939 for such crop under any other practice.

1 unit per acre

Seedings.

(6) Seeding alfalfa

2 units per acre

(7) Seedings of permanent grasses or pasture mixtures containing a full seeding either of one of the following or of a mixture of them: alfalfa, crested wheat grass, slender wheat grass, western wheat grass, grama grass, buffalo grass, and blue stem, in areas where these varieties are adapted in the North Central Region.

2 units per acre

(8) Seeding biennial legumes, perennial legumes, perennial grassed (other than timothy or redtop) or mixtures (other than a mixture consisting solely of timothy and redtop) containing perennial grasses, perennial legumes, or biennial legumes (except any of such seedings qualifying at a higher rate of credit).

1 unit per acre.

(9) Seeding winter legumes, annual lespedeza, annual ryegrass, crotalaria, sesbania, or annual sweet clover or mixtures containing such varieties except seedings qualifying at a higher rate.

1 unit per acre

(10) Seeding timothy or redtop or a mixture consisting solely of timothy and redtop.

$\frac{1}{2}$ unit per acre

In order to count toward the achievement of the soil-building goal, all seedings of red clover and any mixtures containing red clover must be made with adapted red clover seed, and all seedings of alfalfa and any mixtures containing alfalfa must be made with adapted alfalfa seed, the origin of which must be certified. Red clover and alfalfa seed grown in Canada and in the following States will be regarded as adapted: Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Red clover and alfalfa seed grown in the following counties of the following States also will be regarded as adapted: The counties of Baker, Crook, Deschutes, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco and Wheeler in the State of Oregon; the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman in the State of Washington. Red clover and alfalfa seed grown in counties in Oregon and Washington other than those enumerated in this paragraph and alfalfa grown in Oklahoma will be regarded as adapted if certification is made by the State Crop Improvement Association of the State where the seed was produced that the seed was produced in the State and was produced from parent seed of Ohio red clover or Tennessee anthracnose resistant red clover or parent seed of hardy adapted alfalfa and if the certification tag attached to the seed is filed with the county committee in cases where quantities of 100 pounds or more are purchased.

Pasture improvement

(11) Reseeding depleted pastures or restoration land with good seed of adapted pasture grasses or legumes - 10 pounds of seed. 1 unit.

(12) Natural reseeding of fenced noncrop open pasture, normally grazed during the growing season, by nongrazing until after seed matures on an acreage equal to one-half of the number of acres of such pasture required to carry one animal unit for a 12-month period. 1 unit.

Erosion control

(13) Construction of 200 linear feet of standard terrace for which proper outlets are provided. 1 unit.

(14) Construction of reservoirs and dams - 10 cubic yards of material moved in making the fill or excavation or 7 cubic feet of concrete or rubble masonry. 1 unit.

(15) Protecting muck land subject to serious wind erosion by establishing or maintaining approved shrub wind-breaks $\frac{1}{2}$ unit per acre

The rows of plants are to run at right angles to the prevailing winds, and all rows of windbreak to run parallel to each other. The plants in the rows will be spaced so that at the end of one season's growth not more than 3 feet of space remains between the foliage of the plants in the rows. All plantings will be made in accordance with good tree culture practice and will be of a permanent nature. Approval of plants used and of method of planting must be obtained from the county committee. For rows 20 or more rods apart eight linear rods of planting will equal one acre of protection. Credit will be proportionately smaller for rows less than 20 rods apart.

(16) Construction of contour furrows on noncrop open pasture land $\frac{1}{2}$ unit per acre

(except noncrop open pasture land that is sufficiently sandy and porous to absorb normal precipitation) provided: (1) the area contoured has an average slope not in excess of 8 percent; (2) the contour furrows are dammed sufficiently to prevent gullying; (3) the contour furrows are constructed on the contour level and not less than 8 inches in width and 4 inches in depth; (4) the width between the furrows on any land with an average slope of 3 percent or less does not exceed 25 feet; (5) the width between the furrows on any land with an average slope of more than 3 percent does not exceed 25 feet less 3 feet for each percent by which the slope is greater than 3 percent. Each furrow will be considered to occupy an area not in excess of one-half rod in width.

(17) Growing alternate strips of intertilled crops or fallow with sown, close-drilled, or sod crops $\frac{1}{2}$ unit per acre

Provided: (1) The strips are approximately the same width; (2) the strips are not less than 3 rods nor more than 20 rods in width; (3) the strips run at right angles to the prevailing winds, or on the contour; and (4) the crop stubble is left standing until November 1, 1939, or a good stand of a winter cover crop is on the land on November 1, 1939.

(18) Contour farming of intertilled crops $\frac{1}{8}$ unit per acre.

Provided: (1) The deviation of the crop rows from the true contour does not exceed at any point a percentage equal to one-half of the percentage slope of the land, but in any case the maximum deviation does not exceed three percent; (2) no deviation of the rows from the true contour is to be of a greater continuous distance than 60 feet, and (3) the crop stubble or a good stand of a winter cover crop is on

The land on November 1, 1939.

- (19) Contour seeding of small grain crops 1/10 unit per acre.

Provided: (1) the deviation of the drilled rows from the true contour does not exceed, at any point, a percentage equal to $\frac{1}{2}$ of the percentage slope of the land, but in any case the maximum deviation shall not exceed three percent; (2) no deviation of the rows from the true contour is to be of a greater continuous distance than 60 feet, and (3) no credit is to be allowed land which has a slope of less than four percent.

Forestry

- (20) Planting 650 forest trees per acre (including shrubs in protective plantings) or 300 trees for windbreak if the trees are protected and cultivated in accordance with good tree culture practice. 5 units per acre.

- (21) Maintaining a good stand of at least 300 trees per acre, planted between July 1, 1935, and July 1, 1939, by cultivating sufficiently to control other vegetation, protecting from fire and livestock, and replanting if necessary. 2 units per acre.

- (22) Improving a stand of forest trees. 2 units per acre.

This practice may be carried out by cutting weed trees and thinning or pruning other trees, so as to leave at least 100 potential timber trees of desirable species per acre with a minimum diameter of 6 inches, or at least 200 potential timber trees of desirable species per acre with a minimum diameter of 2 inches, well distributed over each acre of woodland, provided: (1) the county committee approves the area on which such practice is to be carried out; and (2) such area is not grazed and is adequately protected against fire.

- (23) Restoration of fenced farm woodlots normally overgrazed by nongrazing until November 1, 1939. 1/10 unit per acre.

Miscellaneous

- (24) Applying sand free from stones or loam to a depth of at least one-half inch on fruiting cranberry bogs 5 units per acre.

- (25) Control of seriously infested plots of perennial noxious weeds in organized weed control districts by use of sodium chlorate applied in the following manner: 5 units per acre.

The area to be treated must be mowed after weeds reach the blossom stage but before seed matures, and the foliage removed from the acreage before application of the chemical. Not less than 3 pounds of sodium chlorate is to be spread evenly on each square rod for which credit is granted, and treatment is to be made at least 10 feet beyond the infested area. The area treated is to be left idle and uncultivated until November 1, 1939. Sales receipts for all sodium chlorate used must be filed by the farmer with the county committee. Four-hundred and eighty pounds of sodium chlorate used in the above manner will be equivalent to one acre of treatment.

Practices carried out with labor, seed, trees, and materials furnished by any State or Federal agency other than the A. A. A. and representing half or more of the total cost, will not count toward achievement of the soil-building goal. If the portion of the labor, seed, trees, or other materials furnished by a State or Federal agency other than the A. A. A. represents less than half of the total cost of carrying out a practice, one-half of the practice shall count toward achievement of the soil-building goal. Labor, seed, trees, and materials furnished to a State, a political subdivision of a State, or an agency thereof, by an agency of the same State will not be deemed to have been furnished by "any State agency." No credit for meeting the soil-building goal will be given for the planting and protection of forest trees planted under a cooperative agreement entered into with the Forest Service in connection with the Prairie States Forestry Project.

Trees purchased from a Clark-McNary Cooperative State Nursery will not be deemed to be paid for in whole or in part by a State or Federal Agency.

Full credit for meeting the soil-building goal will be given for soil-building practices which are carried out under the Department's water facilities program if the entire cost of labor, materials, and equipment used in carrying out such practices is paid by the owner or operator or covered by a loan agreement executed by him. If a portion of such cost is not paid by the owner or operator or covered by a loan agreement executed by him and such portion constitutes less than one-half of such cost, one-half credit will be given. If such portion constitutes one-half or more of such cost, no credit for meeting the soil-building goal will be given for the practices.

Sec. 8. Payment for full performance. Payment will be made on any farm for not exceeding soil-depleting acreage allotments, and for achieving soil-building and restoration land goals, as follows:

a. Soil-depleting crops.

(1) Corn. 9 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn allotment; or, if the acreage planted to corn is less than 80 percent of the corn allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to corn unless the county committee finds that failure to plant 80 percent of the allotment was due to flood or drought. No payment will be computed on the corn allotment at the corn rate on a non-corn-allotment farm, but payment will be computed on the acreage in the corn allotment at the general rate.

(2) Wheat. 17 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat allotment; or, if the acreage planted to wheat is less than 80 percent of the wheat allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to wheat unless the county committee finds that failure to plant 80 percent of the allotment was due to flood or drought. No payment will be computed on the wheat allotment at the wheat rate on a non-wheat-allotment farm, but payment will be computed on the acreage in the wheat allotment at the general rate.

(3) Tobacco. The following number of cents per pound of the normal yield per acre of tobacco for the farm for each acre in the tobacco allotment for each of the following kinds of tobacco:

- (a) Burley 0.8 cents
- (b) Dark air-cured 1.4 cents
- (c) Cigar filler and binder 1.0 cent

(4) Potatoes. 3 cents per bushel of the normal yield per acre of potatoes for the farm for each acre in the potato allotment; or, if the acreage planted to potatoes is less than 80 percent of the potato allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to potatoes unless the county committee finds that failure to plant 80 percent of the potato allotment was due to flood or drought.

(5) Commercial vegetables. \$1.50 for each acre in the commercial vegetable allotment established for the farm; or, if the acreage of land planted to commercial vegetables is less than 80 percent of the commercial vegetable allotment, payment will be computed on an acreage equal to 125 percent of the acreage of land planted to commercial vegetables unless the county committee finds that failure to plant 80 percent of the commercial vegetable allotment was due to flood or drought.

(6) Cotton. 2 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton allotment; or, if the acreage planted to cotton is less than 80 percent of the cotton allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to cotton unless the county committee finds that failure to plant 80 percent of the cotton allotment was due to flood or drought.

(7) General crops. \$1.10 per acre adjusted for productivity for each acre in the total soil-depleting allotment established for the farm in excess of (1) the acreages used in computing payments with respect to the special allotments established for the farm, and (2) the acreage of sugar beets planted on the farm in 1939.

b. Payment for soil-building practices.

(1) 50 cents per acre of cropland in the farm in excess of the total soil-depleting allotment for the farm.

(2) \$2.00 per acre of commercial orchards on the farm January 1, 1939.

(3) A number of cents per acre of noncrop open pasture land in the farm, equal to 2 cents per acre of such pasture land plus \$1.00 for each animal unit of grazing capacity (on a 12-month basis).

(4) 70 cents for each acre in the commercial vegetable allotment for the farm.

(5) On non-general-allotment farms the payment computed for general crops is to be earned by carrying out soil-building practices.

c. Restoration land goal. (See supplement for Restoration Land)

Sec. 9. Payments for partial performance. Payments computed for any farm under the provisions of Section 8 will be subject to all the following deductions applicable to the farm:

a. Soil-depleting crops.

(1) Corn (farms in commercial corn area): 40 cents per bushel of the normal yield for the farm for each acre planted to corn in excess of the corn allotment, or, if the farm is a non-corn-allotment farm, for each acre planted to corn in excess of 8 acres.

(2) Wheat. 50 cents per bushel of the normal yield for the farm for each acre planted to wheat in excess of the wheat allotment, or, if the farm is a non-wheat-allotment farm, for each acre of wheat classified as soil-depleting in excess of 8 acres.

(3) Tobacco. 8 cents per pound of the normal yield for the farm for each acre of tobacco harvested in excess of the applicable tobacco allotment established for the farm.

(4) Potatoes. 30 cents per bushel of the normal yield for the farm for each acre planted to potatoes in excess of the potato allotment or, if no potato allotment is established for the farm, and the farm is in a commercial potato county which is not also a commercial vegetable county, for each acre planted to potatoes for market in excess of 3 acres.

(5) Commercial vegetables. (Farms in commercial vegetable area). \$20.00 per acre for each acre of land planted to commercial vegetables in excess of the larger of the commercial vegetable allotment established for the farm or three acres.

(6) Cotton. 4 cents per pound of the normal yield for the farm for each acre planted to cotton in excess of the cotton allotment established for the farm. (See Cotton supplement).

(7) General crops. \$8.00 per acre, adjusted for productivity, for each acre classified as soil-depleting in excess of the sum of (1) the total soil-depleting allotment established for the farm; and (2) acreage on which special crop deductions are computed, or, if the farm is a non-general-allotment farm, for each acre classified as soil-depleting in excess of the sum of (1) 20 acres, (2) the cotton allotment established for the farm, and (3) the acreages on which special crop deductions are computed.

b. Soil-building goal. \$1.50 for each unit by which the soil-building goal is not reached.

c. Restoration land goal. (For wind erosion area, see supplement).

Sec.10. Division of payments and deductions.

a. Payments and deductions on acreage allotments. The net payment or net deduction computed for any farm in connection with general crops or any crops for which special allotments are established will be divided among the landlords, tenants, and sharecroppers in the proportion that such persons are entitled to share in the 1939 crops on the farm at the time of harvest. Any person who receives a portion of a crop as a fixed commodity payment will not be regarded as receiving a share of such crop. The deduction for failure to prevent wind and water erosion, cropping restoration land, and breaking out of native sod will be regarded as deductions for general crops.

If any crop for which payment is computed is not grown on the farm in 1939, or if the county committee finds that due to crop failure the average of the crop was reduced sufficiently to affect materially the division of payments or deductions, the net payment or net deduction for the crop will be divided among the landlords, tenants, or sharecroppers as the county committee determines that such persons would have shared in the crop if the entire allotment had been planted and harvested in 1939. Upon written agreement of all landlords who are entitled to receive a share of the crops, the share of each landlord in the net payment or net deduction computed for each allotment on any farm comprising separately owned tracts will be determined on the basis of his share in the allotments which were established for the land in which he has an interest.

b. Payments for soil-building practices. The amount of payment earned for carrying out soil-building practices will be made to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one person carried out practices on the farm in 1939, the payment will be divided in the proportion that the units of practices carried out by each person bears to the total units of practices carried out on the farm in 1939. All persons who contributed to a practice carried out on a particular acreage will be deemed to have contributed equally to the units for the practice unless they satisfy the county committee that their contributions were not equal. In that event, the units for the practice will be divided in the proportion which the county committee determines each person contributed.

c. Proration of net deductions. If for any farm the sum of the net payments exceeds the sum of the net deductions, the sum of the net deductions will be prorated among the persons for whom a net payment is computed, on the basis of such computed net payments. If, for any farm the sum of the net deductions equals or exceeds the sum of the net payments, no payment will be made and the amount of the net deductions in excess of the net payments will be prorated among the persons for whom a net deduction is computed, on the basis of such computed net deductions.

Sec. 11. Increase in small payments. The total payment computed for any person for any farm will be increased as follows:

- (a) Any payment amounting to 71 cents or less will be increased to \$1.00;
- (b) Any payment amounting to more than 71 cents but less than \$1.00 will be increased by 40 percent;
- (c) Any payment amounting to \$1.00 or more will be increased in accordance with the following schedule;

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in Payment
\$1.00 to 1.99	\$0.40	\$32.00 to 32.99	\$10.40
2.00 to 2.99	0.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	1/
30.00 to 31.99	10.20	200.00 and over	2/
<hr/>			
1/ Increase to 200.00			
2/ No increase			

Sec. 12. Payments limited to \$10,000. The total of all payments under the 1939 program to any individual, partnership, or estate upon farms and ranching units located within a single State will not exceed \$10,000. The total of all payments to any person other than an individual, partnership, or estate upon farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) will not exceed \$10,000.

All or any part of any payment which has been or otherwise would be made to any person under the 1939 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, or formation of any corporation, partnership, estate, trust, or by any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Sec. 13. Deductions incurred on other farms.

(a) Other farms in the same county. If the deductions for any farm exceed the payment for full performance on the farm, a landlord's or tenant's share of the net deduction for the farm will be deducted from his share of any payment which would otherwise be made to him on any other farms in the same county.

(b) Other farms in the State. If the deductions computed for a landlord or tenant for one or more farms in a county exceed the payments computed for him on other farms in the county, the amount of such excess deductions will be deducted from the payment computed for him for farms in the State if the State committee finds that the crops grown and the practices adopted on the farm for which the deductions are computed substantially offset the contribution to the program made on such other farms.

Sec. 14. Deduction for association expenses. There will be deducted pro rata from the payments for any farm all or part of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

Sec. 15. Materials furnished as grants of aid. Wherever it is found practicable, limestone, superphosphate, and other materials, upon request of the producer, may be furnished by the A.A.A. as grants of aid to be used in carrying out approved soil-building practices which

will be counted toward meeting the soil-building goal for the farm. Wherever such materials are furnished, a deduction from the payment for the farm will be made in the amount of the approximate average cost of such material to the Agricultural Adjustment Administration in any county, State or other area. Such deduction will be applied first to the payment computed for the person to whom such materials are furnished, and any balance will be prorated among the payments to other persons sharing in the payment for the farm on which the materials were used.

In making a request for materials, the producer will agree that in the event the amount of the deduction for materials exceeds the amount of the payment for the farm, the difference will be repaid by him.

Sec. 16. General provisions relating to payments.

a. Payment restricted to effectuation of purposes of the program.

- (1) All or any part of any payment which otherwise would be made to any person under the 1939 program may be withheld; (a) if he has adopted any practice which tends to defeat any of the purposes of the 1939 or previous agricultural conservation programs; (b) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized; or (c) if for forest land or woodland owned or controlled by him, he has adopted any practice which is found contrary to sound conservation practices.
- (2) No payments other than payments for restoration land and soil-building practices will be computed for any farm which is idle in 1939.
- (3) In the wind erosion area no payment will be made to any person if he allows any part of the cultivated acreage in any farm which he operates or controls in the county to become a wind erosion hazard during 1939 by failing to carry out approved wind erosion control measures.

b. Payment computed and made without regard to claims. Any payment or share of payment will be computed and made without regard to questions of title under State law, without deduction of claims for advances (except assignments approved on ACP-69) and without

regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

c. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1939 any change of the arrangements which existed on the farm in 1938 is made between the landlord and the tenants or sharecroppers and the change would cause a greater proportion of the payments to be made to the landlord under the 1939 program than would have been made to the landlord for performance on the farm under the 1938 program, payments to the landlord upon the farm will not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the farm in 1938 had been continued in 1939, if the county committee certifies that the change is not justified and disapproves it.

If on any farm the number of sharecroppers or share tenants in 1939 is less than the average number on the farm during the years 1936 to 1938, inclusive, and this reduction would increase the payments that otherwise would be made to the landlord, the payments to the landlord will not be greater than the amount that otherwise would be made if the county committee certifies that the reduction is not justified and disapproves it.

If the State committee finds that any person who files an application for payment under the 1939 program has employed any other scheme or device, the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which the person normally would be entitled any payment which has been or would otherwise be made to him under the 1939 program may be withheld in whole or in part from the person participating in or employing the scheme or device, or the person may be required to refund the payment in whole or in part.

d. Assignments. Any person who may be entitled to any payment in connection with the 1939 program may assign the payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1939. No assignment will be recognized unless the assignment is made in writing on ACP-69 in accordance with instructions in ACP-70.

e. Use of soil-conserving crops for market. The A.A.A. will announce the counties in which: (1) the number of cows kept for the production of milk exceeds by more than five percent the normal number of such cows; (2) the acres retired from soil-depleting crops exceed five percent of the normal acreage of such crops and exceed 1,000 acres; and (3) the average number of cows kept for the production of milk exceeds two cows per farm and exceeds two cows per 160 acres of farm land.

In such counties, payments will not be made upon any farm on which: (1) more than 10 percent of the milk or milk products produced on the farm are disposed of for market; (2) the number of dairy cows exceeds the normal number by more than two; and (3) the acreage of cropland and restoration land devoted to soil-depleting crops is less than normal and any part of the soil-conserving crops grown upon the acreage shifted from soil-depleting crops is used for feeding cows for the production of milk or milk products for market.

As used in this paragraph, the term "for market" means for disposition by sale, barter, or exchange, or by feeding (in any form) to dairy livestock which, or the products of which, are to be sold, bartered, or exchanged. The term does not include consumption on the farm. An agricultural commodity is deemed to be consumed on the farm if consumed by the farmer's family, employees, or household, or if fed to poultry or livestock other than dairy livestock on his farm, or if fed to dairy livestock on his farm and such dairy livestock, or the products thereof, are to be consumed by his family, employees, or household. As used in this paragraph, the term "soil-conserving crops" means grasses and legumes grown on cropland except those classified as soil-depleting in Section 6.

Sec. 17. Application for payment.

a. Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of Section 10, a share in the payment on the farm may be computed and (1) who at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (2) who is owner or operator of such farm and participates thereon in 1939 in carrying out approved soil-building practices or in carrying out conservation measures designed to promote restoration of a permanent vegetative cover on restoration land.

b. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office. The right is reserved (1) to withhold payment from any person who fails to file any form or furnish any information required upon any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within a fixed time. At least two week's notice to the public will be given of the expiration of a time limit for filing prescribed forms. Such notice will be given by mailing it to the office of each county committee and making copies available to the press.

c. Applications for other farms. If a person has the right to receive all or a portion of the crops or proceeds therefrom, produced on more than one farm in a county and makes application for payment on one of such farms, he must make application for payment on all such farms. Upon request by the State committee any person will file with the committee any information it may request regarding any other farm in the State on which he has the right to receive all or a portion of the crops or proceeds thereof.

Sec. 18. Appeals. Any person may, within 15 days after notice is forwarded to or available to him request the county committee in writing to reconsider its recommendation or determination on any of the following matters affecting any farm in which he has an interest: (a) eligibility to file an application for payment; (b) any soil-depleting acreage allotment or soil-building goal; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment for the farm. The county committee will notify such person of its decision in writing within 15 days after receipt of the written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee will notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the North Central Division to review the decision of the State committee.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
NORTH CENTRAL DIVISION

1939 AGRICULTURAL CONSERVATION PRO-
GRAM—NORTH CENTRAL REGION

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The fundamental purposes of the Agricultural Conservation Program for 1939 are: (1) To conserve and improve the soil resources of the Nation; (2) to stabilize and maintain adequate food supplies

for consumers; and (3) to help farmers secure their fair share of the national income.

To carry out these purposes the program provides for payments to farmers to help them pay at least part of the cost of conserving their soil by diverting acreage from soil-depleting crops and by putting soil-building practices into effect.

The program is authorized by the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act of 1938. The provisions of the program are subject to such laws affecting the program as Congress may enact and are dependent upon funds appropriated by Congress. The amounts of the payments will be within the limits determined by those funds, by distribution of the funds according to the 1938 Act, and the extent of participation in the program. As an adjustment for participation the rates of payment and deduction upon any commodity or other item may be increased or decreased by as much as ten percent.

This bulletin contains the provisions for the 1939 Agricultural Conservation Program in the North Central Region, but does not contain the special provisions for the wind-erosion area, and for cotton. In cotton and wind-erosion counties the appropriate supplement should be used with this bulletin. The program does not apply to (1) Boone County, Ind., and Licking County, Ohio (experimental counties for which special programs are in effect) and (2) land in which the beneficial ownership is in the United States.

SECTION 1.—DEFINITIONS

(1) **State committee** means the group of persons designated within any State to assist in the administration of the agricultural conservation programs in such State.

(2) **County committee** means the group of persons elected within any county to assist in the administration of the agricultural conservation programs in such county.

(3) **Community committee** means the group of persons elected within any minor civil division to assist in the administration of the agricultural conservation programs in the minor civil division.

(4) **North Central Region** means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

(5) **Commercial corn area** means commercial corn-producing area which includes counties producing an average of at least 450 bushels of corn per farm and 4 bushels of corn per acre of farm land during the past 10 years. It also includes bordering counties containing minor civil divisions producing and likely to produce an average of 450 bushels of corn per farm and 4 bushels of corn per acre of farm land. The area consists of the following counties:

ILLINOIS: All counties **except** Franklin, Jefferson, and Williamson.

INDIANA: All counties **except** Brown, Clark, Crawford, Floyd, Harrison, Jefferson, Monroe, Ohio, Perry, and Switzerland.

IOWA: All counties.

MICHIGAN: Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, St. Joseph, Washtenaw, and Wayne.

MINNESOTA: Big Stone, Blue Earth, Brown, Carver, Chipewewa, Cottonwood, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Grant, Houston, Jackson, Kandiyohi, Lac qui Parle, Le Sueur, Lincoln, Lyon, McLeod, Martin, Meeker, Mower, Murray, Nicollet, Nobles, Olmsted, Pipestone, Redwood, Renville, Rice, Rock, Scott, Sibley, Steele, Stevens, Swift, Traverse, Wabasha, Waseca, Watonwan, Winona, Wright, and Yellow Medicine.

MISSOURI: Adair, Andrew, Atchison, Audrain, Bates, Benton, Boone, Buchanan, Caldwell, Callaway, Cape Girardeau, Carroll, Cass, Chariton, Clark, Clay, Clinton, Cooper, Daviess, De Kalb, Dunklin, Gentry, Grundy, Harrison, Henry, Holt, Howard, Jackson, Johnson, Knox, Lafayette, Lewis, Lincoln, Linn, Livingston, Macon, Marion, Mercer, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Pemiscot, Perry, Pettis, Pike, Platte, Putnam, Ralls, Randolph, Ray, St. Charles, St. Clair, Saline, Schuyler, Scotland, Scott, Shelby, Stoddard, Vernon, and Worth.

NEBRASKA: All counties **except** Arthur, Banner, Blaine, Boyd, Box Butte, Brown, Cherry, Cheyenne, Dawes, Deuel, Dundy, Garden, Garfield, Grant, Holt, Hooker, Keith, Keyapaha, Kimball, Logan, Loup, McPherson, Morrill, Rock, Scotts Bluff, Sheridan, Sioux, Thomas, and Wheeler.

OHIO: All counties **except** Ashtabula, Athens, Belmont, Carroll, Columbiana, Cuyahoga, Gallia, Geauga, Guernsey, Harrison, Hocking, Jackson, Jefferson, Lake, Lawrence, Mahoning, Meigs, Monroe, Morgan, Noble, Portage, Stark, Summit, Trumbull, Tuscarawas, Vinton, and Washington.

SOUTH DAKOTA: Bon Homme, Brookings, Clay, Deuel, Grant, Hanson, Hutchinson, Kingsbury, Lake, Lincoln, McCook, Minnehaha, Moody, Roberts, Turner, Union, and Yankton.

WISCONSIN: Columbia, Crawford, Dane, Grant, Green, Iowa, Jefferson, Lafayette, Richland, Rock, Sauk, and Walworth.

(6) **Commercial potato area** means commercial potato-producing area which includes counties containing 50 or more farms which during the five years 1933 to 1937 planted at least 3 acres and produced at least 200 bushels of Irish potatoes for market. The area consists of the following counties:

INDIANA: Allen, Clark, DeKalb, Elkhart, Floyd, Fulton, Harrison, Kosciusko, Lagrange, Lake, LaPorte, Marshall, Noble, Porter, St. Joseph, Starke, Steuben, and Whitley.

MICHIGAN: All counties **except** Alcona, Alger, Arenac, Baraga, Clare, Clinton, Crawford, Eaton, Gogebic, Gratiot, Iron, Keweenaw, Luce, Mackinac, Ontonagon, Oscoda, and Roscommon.

MINNESOTA: Aitkin, Anoka, Becker, Beltrami, Benton, Carlton, Cass, Chisago, Clay, Clearwater, Crow Wing, Dakota, Douglas, Freeborn, Hennepin, Hubbard, Isanti, Itasca, Kanabec, Kittson, Mahanomen, Marshall, Mille Lacs, Morrison, Mower, Norman, Otter Tail, Pennington, Pine, Polk, Ramsey, Red Lake, Roseau, St. Louis, Sherburne, Stearns, Todd, Wadena, Washington, Wilkin, Winona, and Wright.

MISSOURI: Clay, Jackson, Ray, and St. Louis.

NEBRASKA: Banner, Box Butte, Buffalo, Cheyenne, Dakota, Dawes, Dawson, Kimball, Morrill, Scotts Bluff, Sheridan, and Sioux.

OHIO: Allen, Ashland, Ashtabula, Auglaize, Clark, Columbiana, Cuyahoga, Darke, Erie, Fulton, Geauga, Hamilton, Hardin, Huron, Lake, Lorain, Lucas, Mahoning, Medina, Miami, Morrow, Portage, Richland, Sandusky, Seneca, Stark, Summit, Trumbull, and Wayne.

SOUTH DAKOTA: Brookings, Codington, Deuel, and Hamlin.

WISCONSIN: All counties **except** Ashland, Bayfield, Buffalo, Calumet, Clark, Crawford, Douglas, Green, Iowa, Iron, Jefferson, LaCrosse, Lafayette, Monroe, Pepin, Pierce, Richland, Rock, St. Croix, Trempealeau, Vernon, Vilas, and Walworth.

(7) **Commercial vegetable area** means commercial vegetable producing area which includes counties designated as normally producing substantial quantities of commercial vegetables and as having an average acreage of commercial vegetables in 1936 and 1937 of at least 100 acres grown on farms with an acreage of at least 3 acres of commercial vegetables.

(8) **Wind-erosion area** consists of the nonirrigated portions of all counties in Nebraska and South Dakota **except** the following:

NEBRASKA: Burt, Butler, Cass, Cedar, Clay, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Hamilton, Jefferson, Johnson, Knox, Lancaster, Nemaha, Nuckolls, Otoe, Pawnee, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, York.

SOUTH DAKOTA: Bon Homme, Brookings, Clay, Codington, Deuel, Grant, Hamlin, Hanson, Hutchinson, Lake, Lincoln, McCook, Miner, Minnehaha, Roberts, Turner, Union, and Yankton.

(9) **Farm** means all adjacent or nearby farm land under the same ownership, whether operated by one person or field-rented in whole or in part to one or more persons, and constituting a unit with respect to the rotation of crops.

If the operator and all the owners entitled to share in the crops request and agree, a farm may include any adjacent or nearby farm land operated by the same person as part of the same unit in the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land if the county committee determines that:

- (a) There is one crop rotation system on the entire area of land;
- (b) The yields and productivity of the differently-owned tracts do not vary substantially;
- (c) The combination is not being made for the purpose of increasing acreage allotments or primarily for the purpose of effecting performance; and
- (d) The differently-owned tracts customarily are, and in 1939 will be, regarded in the community as a farm.

A farm is regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it is regarded as located in the county in which the major portion of the farm is located.

(10) **Non-corn-allotment farm** means a farm in the commercial corn area for which a corn allotment of 8 acres or less is determined

and the persons having an interest in the corn planted on the farm elect at the time the Farm Plan for Participation in the 1939 Program, NCR-303, is completed, to have the farm considered as a non-corn-allotment farm.

(11) **Non-wheat-allotment farm** means a farm for which a wheat allotment of 8 acres or less is determined and the persons having an interest in the wheat planted on the farm elect, at the time the Farm Plan for Participation in the 1939 Program, NCR-303, is completed, to have the farm considered as a non-wheat-allotment farm.

(12) **Non-general-allotment farm** means a farm for which a total soil-depleting allotment (excluding the cotton allotment), of 20 acres or less is determined and the persons having an interest in the general soil-depleting crops planted on the farm elect at the time the Farm Plan for Participation in the 1939 Program, NCR-303, is completed, to have the farm considered as a non-general-allotment farm.

(13) **Wind-erosion farm** means a farm in the wind erosion area which is owned or leased by a conservation district, an association organized for conservation purposes, or a State agency authorized by law to own or lease land for conservation or wind erosion control purposes.

(14) **Acreage planted to corn** means the acreage of land seeded to field corn, sweet corn, or popcorn, except: (1) Any acreage of sweet corn contracted to be sold for canning or freezing; (2) any acreage of sweet corn sold for canning, roasting ears, or freezing; (3) any acreage of sweet corn to be sold or used as seed; (4) any acreage of popcorn sold or to be used as seed; (5) any acreage of sown or close-drilled corn used as a cover crop or green manure crop; and (6) any acreage of sweet corn or popcorn grown in home gardens for use on the farm.

(15) **Acreage planted to wheat** means (1) any acreage of land devoted to seeded wheat (excluding wheat mixtures) which is on the farm on or after December 15, 1938; (2) any acreage of land devoted to volunteer wheat which remains on the land until May 1, 1939; and (3) any acreage of land which is seeded to a mixture specified herein but the crops other than wheat fail to reach maturity and the wheat is harvested for grain or hay. **Wheat Mixture** means a mixture containing less than 50 percent by weight of wheat, or containing 25 percent or more by weight of rye, barley, vetch, or Austrian winter peas, which may reasonably be expected to produce a crop containing such proportions of plants other than wheat that the crop could not be harvested as wheat for grain or seed.

(16) **General crops** means all crops and land uses classified as soil-depleting, except sugar beets for sugar and the crops for which special crop acreage allotments are established for the farm.

(17) **Commercial vegetables** means the acreage of vegetables or truck crops (including potatoes on farms where a potato allotment is not established, sweetpotatoes, tomatoes, sweet corn for roasting ears, melons, cantaloupes, strawberries, and commercial bulbs and flowers, but excluding peas for canning, and artichokes for use other than as vegetables) of which the principal part of the production is sold to persons not living on the farm.

(18) **Commercial orchards** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, or bush fruits on the farm on January 1, 1939 (excluding nonbearing orchards and vine-

yards), from which the principal part of the production is normally sold.

(19) **Person** means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(20) **Landlord** means a person who owns land and rents such land to another person or operates such land.

(21) **Tenant** means a person other than a sharecropper who rents land from another person (for cash, a fixed commodity payment, or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.

(22) **Sharecropper** means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of a crop produced thereon or the proceeds thereof.

(23) **Cropland** means farm land which in 1938 was tilled or was in regular rotation excluding restoration land and any land which constitutes, or will constitute, if such tillage is continued, a wind erosion hazard to the community and excluding also any land in commercial orchards.

Land that was **not** devoted between January 1, 1933, and January 1, 1939, to the production of intertilled crops, small grain crops, or conserving crops seeded in regular rotation, should be considered **noncropland**, unless such land is suitable for the production of soil-depleting crops without clearing, draining, or irrigating; is definitely equal to or superior to the land in the community used for the production of soil-depleting crops, with respect to productivity and adaptability to the production of such crops; if tilled will not become a serious wind or water erosion hazard; and will in the normal course of the crop rotation on the farm be used for the production of soil-depleting crops.

However, in the wind erosion area, land that has never been tilled should in no event be classified as cropland. Furthermore, land which has been tilled but cropping of which has been abandoned since January 1, 1934, due to subnormal productivity or severe wind or water erosion, should in no case be classified as cropland. However, land which otherwise would satisfy the definition of cropland may be classified as restoration land if such land has been devoted to the production of tilled crops since January 1, 1930.

Land that was devoted between January 1, 1933, and January 1, 1939, to the production of crops should be considered **noncropland** if it is no longer cropped or suitable to the production of soil-depleting crops, by reason of severe erosion, lack of clearing or draining, or discontinuance of irrigation, and is inferior to the land in the farm used for the production of soil-depleting crops, with respect to the productivity and adaptability to the production of such crops.

(24) **Restoration land** means farm land in the wind erosion area which has been cropped at least once since January 1, 1930, and which is designated by the county committee as land on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

(25) **Noncrop open pasture land** means pasture land (other than rotation pasture land and range land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.

(26) **Special allotment** means a corn, cotton, wheat, tobacco, commercial vegetable, or potato acreage allotment.

SECTION 2. NATIONAL AND STATE ACREAGE ALLOTMENTS AND GOALS

a. **National Goals.**—The national goals of the 1939 program are:

(1) The following acreage of soil-depleting crops:

Total soil-depleting crops-----	270, 000, 000 to 285, 000, 000 acres
Corn-----	94, 000, 000 to 97, 000, 000 acres
Wheat-----	55, 000, 000 to 60, 000, 000 acres
Tobacco:	
Burley-----	375, 000 to 400, 000 acres
Fire-cured and dark air-cured-----	160, 000 to 170, 000 acres
Cigar filler and binder-----	85, 000 to 90, 000 acres
Potatoes-----	3, 100, 000 to 3, 300, 000 acres
Cotton-----	27, 000, 000 to 29, 000, 000 acres

(2) Conservation of the cropland not needed in 1939 for growing soil-depleting crops; restoration of a permanent vegetative cover on land unsuited to continue production of cultivated crops and carrying out soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

b. **State acreage allotments.**—The State acreage allotments for States in the North Central Region are:

(1) Total soil-depleting crops—

	<i>Acrea</i> <i>(thousands)</i>		<i>Acrea</i> <i>(thousands)</i>
Illinois-----	14, 692	Nebraska-----	14, 989
Indiana-----	7, 787	Ohio-----	6, 886
Iowa-----	16, 386	South Dakota-----	12, 488
Michigan-----	5, 178	Wisconsin-----	6, 486
Minnesota-----	13, 819		
Missouri-----	9, 473	Total-----	108, 184

(2) Corn (for commercial corn counties)—

	<i>Acrea</i> <i>(thousands)</i>		<i>Acrea</i> <i>(thousands)</i>
Illinois-----	7, 308	Wisconsin-----	742
Indiana-----	3, 583		
Iowa-----	9, 274	Total-----	39, 002
Michigan-----	411	Commercial corn coun-	
Minnesota-----	3, 322	ties in Kansas and	
Missouri-----	3, 302	Kentucky-----	2, 279
Nebraska-----	6, 876		
Ohio-----	2, 647	Total for commer-	
South Dakota-----	1, 537	cial corn area--	41, 281

(3) Wheat—

	<i>Acrea</i> <i>(thousands)</i>		<i>Acrea</i> <i>(thousands)</i>
Illinois-----	1, 789	Nebraska-----	3, 050
Indiana-----	1, 482	Ohio-----	1, 655
Iowa-----	389	South Dakota-----	2, 944
Michigan-----	670	Wisconsin-----	90
Minnesota-----	1, 419		
Missouri-----	1, 705	Total-----	15, 193

(4) Potatoes (for commercial potato counties)—

	<i>Acres</i> (thousands)		<i>Acres</i> (thousands)
Indiana.....	18	Ohio.....	33
Michigan.....	136	South Dakota.....	14
Minnesota.....	174	Wisconsin.....	111
Missouri.....	7		
Nebraska.....	65	Total.....	558

SECTION 3. COUNTY ACREAGE ALLOTMENTS AND GOALS

County acreage allotments are established for total soil-depleting crops, and for corn, wheat, potatoes, tobacco, and cotton. County goals are established for restoration land. The soil-depleting acreage allotments for all counties in each State do not exceed the applicable acreage allotment established for the State.

a. Total soil-depleting allotment.—County acreage allotments of the total soil-depleting crops are established by distributing the State acreage allotment of total soil-depleting crops among the counties in the State on the basis of the total soil-depleting allotments established for the 1938 program. Due allowance is made for trends in acreage of soil-depleting crops, changes in crop classifications, and the relationship of the special allotments established for 1938 to the special allotments established for 1939.

b. Corn allotment.—County corn acreage allotments are established for the counties in the commercial corn area. The corn allotment for the commercial corn area in the State is distributed among the counties in the State in the commercial corn area. Distribution is made pro rata on the basis of the acreage planted to corn, plus the acreage diverted from corn under the agricultural adjustment and conservation programs, during the 10 years 1928 to 1937, inclusive, with adjustments for abnormal weather conditions and trends in acreage.

c. Wheat allotment.—County wheat acreage allotments are established by distributing the State acreage allotment among the counties in the State pro rata on the basis of the acreage seeded for wheat production, plus the acreage diverted under the agricultural adjustment and conservation programs, during the 10 years 1928 to 1937, inclusive, with adjustments for abnormal weather conditions and trends in acreage.

d. Tobacco allotment.—County acreage allotments for each kind of tobacco are established by distributing the State acreage allotment among the counties in the State on the basis of the county acreage allotments established under the 1938 program, taking into consideration allotments for small farms, trends in acreage, and plant bed and other diseases.

e. Potato allotment.—County potato acreage allotments for counties in the commercial potato area are established by distributing the State acreage allotment of potatoes among such counties in the State. Distribution is made pro rata on the basis of the acreage allotments established under the 1938 program.

SECTION 4. FARM ACREAGE ALLOTMENTS AND GOALS

The county committee with the assistance of the community committees will establish acreage allotments as provided in NCR-310

and related instructions. The soil-depleting acreage allotments established for the farms in a county are not to exceed the applicable county acreage allotment established for the county.

a. Total soil-depleting allotment.—The total soil-depleting acreage allotment for any farm will be determined as provided in NCR-310, on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion and the acreage of all soil-depleting crops customarily grown on the farm, taking into consideration special allotments determined for the farm. The total soil-depleting allotment for any farm is to be comparable with the allotments determined for other farms in the same community which are similar in these respects.

b. Corn allotment.—Corn acreage allotments will be determined as provided in NCR-310, for farms in the commercial corn area on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The allotment for any farm is to be comparable with the allotments for other farms in the same community which are similar in these respects.

c. Wheat allotment.—Wheat acreage allotments will be determined for farms on which wheat has been planted for harvest in one or more of the years 1936, 1937, and 1938. The allotments will be determined on the basis of tillable acreage, crop rotation practices as reflected in the usual acreage of wheat on the farm, type of soil, and topography. Not more than 3 percent of the county wheat acreage allotment will be apportioned to farms in the county on which wheat was not seeded for harvest in any one of the three years 1936, 1937, and 1938, on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The wheat acreage allotment for any farm is to be comparable with the allotments determined for other farms in the same community, which are similar in these respects.

d. Tobacco allotment.—Acreage allotments for each kind of tobacco will be determined on the basis of past acreage and production of each kind of tobacco with due allowance for the effects of abnormal weather conditions and plant bed and other diseases; land, labor, and equipment available for the production of tobacco; crop rotation practices; and the soil and other physical factors affecting the production of tobacco. The tobacco acreage allotment for any farm on which tobacco was grown in one or more of the years 1935 to 1938, inclusive, will be comparable with the allotments for other farms in the same community which are similar in these respects. In the case of burley and dark-air cured tobacco, special consideration will be given to farms for which acreage allotments are small. The allotment for any farm on which tobacco is to be produced in 1939 for the first time since 1934 will not exceed 75 percent of the allotment for other farms in the same community on which tobacco was produced since 1934 which are similar with respect to land, labor, and equipment available for the production of tobacco; crop rotation practices, and the soil and other physical factors affecting the production of tobacco.

e. Potato allotment.—In counties included in the commercial potato area, a potato acreage allotment will be determined for each farm on which the acreage normally planted to potatoes for market

is 3 acres or more. Potato acreage allotments will be established on the basis of good soil management, tillable acreage on the farm, type of soil, topography, production facilities, and the acreage of potatoes customarily grown on the farm. The potato acreage allotment for any farm will be comparable with the allotments for other farms in the same community which are similar in these respects.

f. Commercial vegetable allotment.—In counties included in the commercial vegetable area a commercial vegetable acreage allotment will be established for each farm on which the average acreage of land planted to commercial vegetables in 1936 and 1937 was 3 acres or more. The commercial vegetable acreage allotment will be the average acreage for 1936 and 1937 with adjustments for abnormal weather conditions, taking into consideration the tillable acreage on the farm, type of soil, and production facilities. The sum of the commercial vegetable acreage allotments established for such farms in a county will not exceed the sum of the average annual acreages of land planted to commercial vegetables on such farms in 1936 and 1937.

g. Soil-building goal.—The soil-building goal for a farm will be one unit of soil-building practices for each \$1.50 of the payment computed for the farm for commercial orchards, noncrop open pasture land, the cropland in excess of the total soil-depleting allotment, and the soil-building payment on the commercial vegetable allotment (section 8b). If the farm is considered a non-general-allotment farm, the soil-building goal is increased by one unit for each \$1.50 of the payment computed for the farm for general crops.

Insofar as practicable, the county committee should determine for individual farms practices to be followed in meeting the goal which are not routine practices on the farm but which are needed on the farm in order to conserve and improve soil fertility and prevent wind and water erosion.

h. Posting of acreage allotments.—All acreage allotments established for farms in a county are to be posted or kept freely available for public inspection in the office of the county committee.

SECTION 5. NORMAL YIELDS AND PRODUCTIVITY INDEXES

a. Normal yields of special crops.—The county committee with the assistance of the community committees will determine for each farm for which a corn, wheat, tobacco, potato, or cotton acreage allotment is established a normal yield for each such crop.

(1) Corn and wheat.—

(a) Where reliable records of the actual average yield per acre of corn or wheat, as the case may be, for the years 1928 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm will be the average of such yields adjusted for trends and abnormal weather conditions.

(b) If for any year of the 10-year period reliable records of the actual yield are not available or there was no actual yield because the crop was not planted on the farm, the county committee will determine the normal yield for the farm. This will be based upon all available facts, including the yield customarily secured on the farm, weather

conditions, type of soil, drainage, production practices, and general fertility of the land. The yields so determined will be adjusted so that the weighted average of the normal yields for all farms in the county will equal the county average yield.

(2) **Tobacco and potatoes.**—The normal yield of tobacco or potatoes for any farm will be the average yield which may reasonably be expected on the land usually devoted to the crop on the farm, taking into consideration type of soil, production practices, general fertility of the land, and the yield of such crop customarily secured on the farm. The average yield of such crop for all farms in any county will not exceed the county average yield for the crop.

b. Productivity indexes.—A county productivity index will be established for each county. It will vary among the counties as the productivity of the cropland in the county devoted to the production of general crops varies with the productivity of all cropland in the United States devoted to the production of such crops.

A productivity index for each farm will be determined on the basis of the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of a crop that reflects the productivity of the farm may be used. The productivity index for such farm will be adjusted if necessary to be fair and equitable as compared with the productivity indexes for other farms in the county having similar soils and productive capacity, and as contrasted with other farms in the county having different soils and productive capacity.

The weighted average of the productivity indexes for all farms in the county is not to exceed the county productivity index.

SECTION 6. SOIL-DEPLETING CROPS AND LAND USES

The acreage of land, exclusive of the acreage of home gardens for use on the farm, devoted during the 1939 crop year to the following crops or uses will be classified as soil-depleting:

(1) Corn planted for any purpose except sown or close-drilled corn used as a cover crop or green manure crop.

(2) Grain sorghums planted for any purpose.

(3) Sugar beets planted for any purpose.

(4) Tobacco harvested for any purpose.

(5) Broomcorn harvested for any purpose.

(6) Mangels or cowbeets planted for any purpose.

(7) Potatoes planted for any purpose.

(8) Annual truck and vegetable crops planted for any purpose.

(9) Perennial truck and vegetable crops harvested for any purpose.

(10) Commercial bulbs and flowers, commercial mustard, cultivated sunflowers, mint, or hemp harvested for any purpose.

(11) Field beans planted for any purpose.

(12) Peas harvested for canning, freezing, dried peas, or seed.

(13) Soybeans harvested for seed or when seed matures, except soybeans harvested for seed, other than for crushing, in the counties of

Butler, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, and Stoddard in Missouri.

(14) Flax planted for any purpose except when used as a nurse crop for biennial or perennial legumes or perennial grasses of which a good stand is established in 1939.

(15) Cotton. (See Cotton supplement.)

(16) Wheat planted (acreage planted to wheat) on a wheat allotment farm.

(17) Wheat matured as grain on a non-wheat-allotment farm. Wheat harvested for hay on a non-wheat-allotment farm, except (1) when cut green for hay and used as a nurse crop for legumes or perennial grasses of which a good stand is established in 1939, or (2) when grown in a mixture containing at least 25 percent by weight of winter legumes.

(18) Oats, barley, rye, emmer, speltz, mixtures of these crops, or wheat mixtures matured as grain. Oats, barley, rye, emmer, speltz, mixtures of these crops, or wheat mixtures harvested for hay except (1) when cut green for hay and used as a nurse crop for legumes or perennial grasses of which a good stand is established in 1939, or (2) when grown in mixtures containing at least 25 percent by weight of winter legumes.

(19) Buckwheat, Sudan grass, or millet harvested for grain or seed.

(20) Sweet sorghums, when harvested for any purpose except in Nebraska and South Dakota; when harvested for grain, seed, or syrup in Nebraska and South Dakota; and when harvested for silage in the commercial corn area in Nebraska and South Dakota.

The acreage of land which is devoted simultaneously in 1939 to two or more of the soil-depleting crops specified in this section planted in alternate rows or hills will be divided among the crops on the basis of that fractional part of the land devoted to each.

In order for a portion of a field not to be classified as soil-depleting, the portion must be in a solid block contiguous to the side or end of the field and the line between such portion and the remaining portion of the field must be straight, except that such line may be on the contour on fields that are contour-farmed.

SECTION 7. SOIL-BUILDING PRACTICES

The soil-building practices in the following schedule will count toward the achievement of the soil-building goal if performed in workmanlike manner and in accordance with good farming practice for the locality.

SCHEDULE OF SOIL-BUILDING PRACTICES

Soil improvement.—

(1) Application of the following fertilizers to or in connection with the seeding of perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, crotalaria, or permanent pasture will be counted toward achievement of the soil-building goal. If these fertilizers are applied to any of the above crops seeded or grown in connection with a soil-depleting crop, no part of the material applied will be counted.

(a) 300 pounds of superphosphate containing 16 percent by weight of available phosphoric acid or its equivalent

—1 unit.

- (b) 200 pounds of muriate of potash containing 50 percent by weight of water soluble potash or its equivalent —1 unit.
 (c) 500 pounds of basic slag or rock phosphate —1 unit.

(2) Application of 300 pounds of gypsum containing 18 percent sulphur (or its sulphur equivalent) —1 unit.

(3) Application of 2,000 pounds of ground limestone or its equivalent. The ground limestone should not be coarser than that obtained by grinding calcareous or dolomitic limestone so that not less than 90 percent with all finer particles obtained in the grinding process included, will pass through a 10-mesh sieve. It must contain calcium and magnesium carbonates equivalent to not less than 80 percent of calcium carbonate. The following quantities of other calcareous substances are equivalent to 1 ton of ground limestone: 1,400 pounds of hydrated lime; 2 cubic yards of marl, sugar beet refuse lime, calcium carbide refuse lime, water softening process refuse lime, paper mill refuse lime, or commercial wood ashes; $\frac{1}{2}$ ton of commercial burnt lime; 4 cubic yards of calcareous clay; 1 ton of burnt lime waste; 1 ton of agricultural limestone meal; 2,750 pounds of limestone screenings; $2\frac{1}{2}$ tons blast furnace slag ground sufficiently so that all particles will pass through a 10-mesh sieve; 3 tons of tailings from zinc mines —1 unit.

(4) Application in commercial orchards or on commercial vegetable land of not less than 2 tons, air dry weight, per acre of straw or equivalent mulching materials, excluding barnyard, stockyard, and stable manure —1 unit.

(5) In orchards, or on commercial vegetable, sugar beet, or potato land, green manure crops or cover crops of oats, barley, rye, Sudan grass, millet, annual ryegrass, buckwheat, sweet sorghums, annual legumes (excluding lespedeza), biennial legumes (except as cover crops), wheat (except on sugar-beet land), and mixtures of any of these crops, provided: (1) A good growth is obtained; (2) such crop is not pastured or harvested as grain, seed, hay, or forage, or otherwise taken from the land; (3) where such crop is used as a green manure crop it is incorporated into the soil by plowing or discing before November 1, 1939, and where the land is subject to erosion it is followed by a winter cover crop; (4) where biennial legumes are used as a green manure crop they must be incorporated into the soil before July 1, 1939; (5) where such crop is used as a cover crop a good vegetative growth of such crop is on the land on November 1, 1939; and (6) credit is not given in 1939 for such crop under any other practice —1 unit per acre.

Seedings.—

(6) Seeding alfalfa —2 units per acre.

(7) Seedings of permanent grasses or pasture mixtures containing a full seeding either of one of the following or of a mixture of them: alfalfa, crested wheat grass, slender wheat grass, western wheat grass, grama grass, buffalo grass, and blue stem, in areas where these varieties are adapted in the North Central Region —2 units per acre.

(8) Seeding biennial legumes, perennial legumes, perennial grasses (other than timothy or redtop) or mixtures (other than a mixture consisting solely of timothy and redtop) containing perennial grasses,

perennial legumes, or biennial legumes (except any of such seedings qualifying at a higher rate of credit) **—1 unit per acre.**

(9) Seeding winter legumes, annual lespedeza, annual ryegrass, crotalaria, sesbania, or annual sweet clover or mixtures containing such varieties except seedings qualifying at a higher rate **—1 unit per acre.**

(10) Seeding timothy or redtop or a mixture consisting solely of timothy and redtop **—1½ unit per acre.**

In order to count toward the achievement of the soil-building goal, all seedings of red clover and any mixtures containing red clover must be made with adapted red clover seed, and all seedings of alfalfa and any mixtures containing alfalfa must be made with adapted alfalfa seed, the origin of which must be certified. Red clover and alfalfa seed grown in Canada and in the following States will be regarded as adapted: Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Red clover and alfalfa seed grown in the following counties of the following States also will be regarded as adapted: The counties of Baker, Crook, Deschutes, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, and Wheeler in the State of Oregon; the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman in the State of Washington. Red clover and alfalfa seed grown in counties in Oregon and Washington other than those enumerated in this paragraph and alfalfa grown in Oklahoma will be regarded as adapted if certification is made by the State Crop Improvement Association of the State where the seed was produced that the seed was produced in the State and was produced from parent seed of Ohio red clover or Tennessee anthracnose-resistant red clover or parent seed of hardy adapted alfalfa and if the certification tag attached to the seed is filed with the county committee in cases where quantities of 100 pounds or more are purchased.

Pasture improvement.—

(11) Reseeding depleted pastures or restoration land with good seed of adapted pasture grasses or legumes—10 pounds of seed **—1 unit.**

(12) Natural reseeding of fenced noncrop open pasture, normally grazed during the growing season, by nongrazing until after seed matures on an acreage equal to one-half of the number of acres of such pasture required to carry one animal unit for a 12-month period **—1 unit.**

Erosion control.—

(13) Construction of 200 linear feet of standard terrace for which proper outlets are provided **—1 unit.**

(14) Construction of reservoirs and dams—10 cubic yards of material moved in making the fill or excavation or 7 cubic feet of concrete or rubber masonry **—1 unit.**

(15) Protecting muck land subject to serious wind erosion by establishing or maintaining approved shrub windbreaks. The rows of plants are to run at right angles to the prevailing winds, and all rows of windbreak to run parallel to each other. The plants in the rows will be spaced so that at the end of one season's growth not more than 3 feet of space remains between the foliage of the plants in the rows. All plantings will be made in accordance with good tree culture practice and will be of a permanent nature. Approval of plants used and of method of planting must be obtained from the county committee. For rows 20 or more rods apart, 8 linear rods of planting will equal 1 acre of protection. Credit will be proportionately small for rows less than 20 rods apart

— $\frac{1}{2}$ unit per acre.

(16) Construction of contour furrows on noncrop open pasture land (except noncrop open pasture land that is sufficiently sandy and porous to absorb normal precipitation): *Provided*: (1) The area contoured has an average slope not in excess of 8 percent; (2) the contour furrows are dammed sufficiently to prevent gullying; (3) the contour furrows are constructed on the contour level and not less than 8 inches in width and 4 inches in depth; (4) the width between the furrows on any land with an average slope of 3 percent or less does not exceed 25 feet; (5) the width between the furrows on any land with an average slope of more than 3 percent does not exceed 25 feet less 3 feet for each percent by which the slope is greater than 3 percent. Each furrow will be considered to occupy an area not in excess of $\frac{1}{2}$ rod in width

— $\frac{1}{4}$ unit per acre.

(17) Growing alternate strips of intertilled crops or fallow with sown, close-drilled, or sod crops: *Provided*: (1) The strips are approximately the same width; (2) the strips are not less than 3 rods nor more than 20 rods in width; (3) the strips run at right angles to the prevailing winds, or on the contour; and (4) the crop stubble is left standing until November 1, 1939, or a good stand of a winter cover crop is on the land on November 1, 1939

— $\frac{1}{4}$ unit per acre.

(18) Contour farming of intertilled crops: *Provided*: (1) The deviation of the crop rows from the true contour does not exceed at any point a percentage equal to $\frac{1}{2}$ of the percentage slope of the land, but in any case the maximum deviation does not exceed 3 percent; (2) no deviation of the rows from the true contour is to be of a greater continuous distance than 60 feet, and (3) the crop stubble or a good stand of a winter cover crop is on the land on November 1, 1939

— $\frac{1}{8}$ unit per acre.

(19) Contour seeding of small grain crops: *Provided*: (1) The deviation of the drilled rows from the true contour does not exceed, at any point, a percentage equal to one-half of the percentage slope of the land, but in any case the maximum deviation shall not exceed 3 percent; (2) no deviation of the rows from the true contour is to be of a greater continuous distance than 60 feet, and (3) no credit is to be allowed land which has a slope of less than 4 percent

— $\frac{1}{10}$ unit per acre.

Forestry.—

(20) Planting 650 forest trees per acre (including shrubs in protective plantings) or 300 trees for windbreak if the trees are pro-

tected and cultivated in accordance with good true culture practice. **—5 units per acre.**

(21) Maintaining a good stand of at least 300 trees per acre, planted between July 1, 1935, and July 1, 1939, by cultivating sufficiently to control other vegetation, protecting from fire and livestock, and replanting if necessary **—2 units per acre.**

(22) Improving a stand of forest trees. This practice may be carried out by cutting weed trees and thinning or pruning other trees, so as to leave at least 100 potential timber trees of desirable species per acre with a minimum diameter of 6 inches, or at least 200 potential timber trees of desirable species per area with a minimum diameter of 2 inches, well distributed over each acre of woodland: *Provided:* (1) The county committee approves the area on which such practice is to be carried out; and (2) such area is not grazed and is adequately protected against fire **—2 units per acre.**

(23) Restoration of fenced farm woodlots normally overgrazed by nongrazing until November 1, 1938 **— $\frac{1}{10}$ unit per acre.**

Miscellaneous.—

(24) Applying sand free from stones or loam to a depth of at least $\frac{1}{2}$ inch on fruiting cranberry bogs **—5 units per acre.**

(25) Control of seriously infested plots of perennial noxious weeds in organized weed control districts by use of approved tillage methods or sodium chlorate applied in the following manner: **—5 units per acre.**

The area to be treated must be mowed after weeds reach the blossom stage but before seed matures, and the foliage removed from the acreage before application of the chemical. Not less than 3 pounds of sodium chlorate is to be spread evenly on each square rod for which credit is granted, and treatment is to be made at least 10 feet beyond the infested area. The area treated is to be left idle and uncultivated until November 1, 1939. Sales receipts for all sodium chlorate used must be filed by the farmer with the county committee. Four hundred and eighty pounds of sodium chlorate used in the above manner will be equivalent to one acre of treatment.

Practices carried out with labor, seed, trees, and materials furnished by any State or Federal agency other than the A. A. A. and representing half or more of the total cost, will not count toward achievement of the soil-building goal. If the portion of the labor, seed, trees, or other materials furnished by a State or Federal agency other than the A. A. A. represents less than half of the total cost of carrying out a practice, one-half of the practice shall count toward achievement of the soil-building goal. Labor, seed, trees, and materials furnished to a State, a political subdivision of a State, or an agency thereof, by an agency of the same State will not be deemed to have been furnished by "any State . . . agency." No credit for meeting the soil-building goal will be given for the planting and protection of forest trees planted under a cooperative agreement entered into with the Forest Service in connection with the Prairie States Forestry Project.

Trees purchased from a Clark-McNary Cooperative State Nursery will not be deemed to be paid for in whole or in part by a State or Federal Agency.

Full credit for meeting the soil-building goal will be given for soil-building practices which are carried out under the Department's

water facilities program if the entire cost of labor, materials, and equipment used in carrying out such practices is paid by the owner or operator or covered by a loan agreement executed by him. If a portion of such cost is not paid by the owner or operator or covered by a loan agreement executed by him and such portion constitutes less than one-half of such cost, one-half credit will be given. If such portion constitutes one-half or more of such cost, no credit for meeting the soil-building goal will be given for the practices.

SECTION 8. PAYMENT FOR FULL PERFORMANCE

Payment will be made on any farm for not exceeding soil-depleting acreage allotments, and for achieving soil-building and restoration-land goals, as follows:

a. Soil-depleting crops.—

(1) **Corn.**—9 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn allotment; or, if the acreage planted to corn is less than 80 percent of the corn allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to corn unless the county committee finds that failure to plant 80 percent of the allotment was due to flood or drought. No payment will be computed on the corn allotment at the corn rate on a non-corn-allotment farm, but payment will be computed on the acreage in the corn allotment at the general rate.

(2) **Wheat.**—17 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat allotment; or, if the acreage planted to wheat is less than 80 percent of the wheat allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to wheat unless the county committee finds that failure to plant 80 percent of the allotment was due to flood or drought. No payment will be computed on the wheat allotment at the wheat rate on a non-wheat-allotment farm, but payment will be computed on the acreage in the wheat allotment at the general rate.

(3) **Tobacco.**—The following number of cents per pound of the normal yield per acre of tobacco for the farm for each acre in the tobacco allotment for each of the following kinds of tobacco:

	<i>Cents</i>
(a) Burley	0.8
(b) Dark air-cured	1.4
(c) Cigar filler and binder	1.0

(4) **Potatoes.**—3 cents per bushel of the normal yield per acre of potatoes for the farm for each acre in the potato allotment; or, if the acreage planted to potatoes is less than 80 percent of the potato allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to potatoes unless the county committee finds that failure to plant 80 percent of the potato allotment was due to flood or drought.

(5) **Commercial vegetables.**—\$1.50 for each acre in the commercial vegetable allotment established for the farm; or, if the acreage of land planted to commercial vegetables is less than 80 percent of the commercial vegetable allotment, payment will be computed on an acreage equal to 125 percent of the acreage of land planted to com-

mercial vegetables unless the county committee finds that failure to plant 80 percent of the commercial vegetable allotment was due to flood or drought.

(6) **Cotton.**—2 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton allotment; or, if the acreage planted to cotton is less than 80 percent of the cotton allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to cotton unless the county committee finds that failure to plant 80 percent of the cotton allotment was due to flood or drought. (See Cotton Supplement.)

(7) **General crops.**—\$1.10 per acre adjusted for productivity for each acre in the total soil-depleting allotment established for the farm in excess of (1) the acreages used in computing payments with respect to the special allotments established for the farm, and (2) the acreage of sugar beets planted on the farm in 1939.

b. Payment for soil-building practices.—

(1) 50 cents per acre of cropland in the farm in excess of the total soil-depleting allotment for the farm.

(2) \$2 per acre of commercial orchards on the farm January 1, 1939.

(3) A number of cents per acre of noncrop open pasture land in the farm, equal to 2 cents per acre of such pasture land plus \$1 for each animal unit of grazing capacity (on a 12-month basis).

(4) 70 cents for each acre in the commercial vegetable allotment for the farm.

(5) On non-general-allotment farms the payment computed for general crops is to be earned by carrying out soil-building practices.

c. Restoration - land goal.—(See supplement for Restoration Land.)

SECTION 9. PAYMENTS FOR PARTIAL PERFORMANCE

Payments computed for any farm under the provisions of Section 8 will be subject to all the following deductions applicable to the farm:

a. Soil-depleting crops.—

(1) **Corn** (farms in commercial corn area).—40 cents per bushel of the normal yield for the farm for each acre planted to corn in excess of the corn allotment, or, if the farm is a non-corn-allotment farm, for each acre planted to corn in excess of 8 acres.

(2) **Wheat.**—50 cents per bushel of the normal yield for the farm for each acre planted to wheat in excess of the wheat allotment, or, if the farm is a non-wheat-allotment farm, for each acre of wheat classified as soil-depleting in excess of 8 acres.

(3) **Tobacco.**—8 cents per pound of the normal yield for the farm for each acre of tobacco harvested in excess of the applicable tobacco allotment established for the farm.

(4) **Potatoes.**—30 cents per bushel of the normal yield for the farm for each acre planted to potatoes in excess of the potato allotment or, if no potato allotment is established for the farm, and the farm is in a commercial potato county which is not also a commercial vegetable county, for each acre planted to potatoes for market in excess of 3 acres.

(5) **Commercial vegetables** (farms in commercial vegetable area).—\$20 per acre for each acre of land planted to commercial

vegetables in excess of the larger of the commercial vegetable allotment established for the farm or 3 acres.

(6) **Cotton.**—4 cents per pound of the normal yield for the farm for each acre planted to cotton in excess of the cotton allotment established for the farm. (See Cotton supplement.)

(7) **General crops.**—\$8 per acre, adjusted for productivity, for each acre classified as soil-depleting in excess of the sum of (1) the total soil-depleting allotment established for the farm, and (2) acreages on which special crop deductions are computed, or, if the farm is a non-general-allotment farm, for each acre classified as soil-depleting in excess of the sum of (1) 20 acres, (2) the cotton allotment established for the farm, and (3) the acreages on which special crop deductions are computed.

b. Soil-building goal.—\$1.50 for each unit by which the soil-building goal is not reached.

c. Restoration land goal.—(See supplement for Restoration Land.)

SECTION 10. DIVISION OF PAYMENTS AND DEDUCTIONS

a. Payments and deductions on acreage allotments.—The net payment or net deduction computed for any farm in connection with general crops or any crops for which special allotments are established will be divided among the landlords, tenants, and sharecroppers in the proportion that such persons are entitled to share in the 1939 crops on the farm at the time of harvest. Any person who receives a portion of a crop as a fixed commodity payment will not be regarded as receiving a share of such crop. The deduction for failure to prevent wind and water erosion, cropping restoration land, and breaking out of native sod will be regarded as deductions for general crops.

If any crop for which payment is computed is not grown on the farm in 1939, or if the county committee finds that due to crop failure the acreage of the crop was reduced sufficiently to affect materially the division of payments or deductions, the net payment or net deduction for the crop will be divided among the landlords, tenants, or sharecroppers as the county committee determines that such persons would have shared in the crop if the entire allotment had been planted and harvested in 1939. Upon written agreement for all landlords who are entitled to receive a share of the crops, the share of each landlord in the net payment or net deduction computed for each allotment on any farm comprising separately owned tracts will be determined on the basis of his share in the allotments which were established for the land in which he has an interest.

b. Payments for soil-building practices.—The amount of payment earned for carrying out soil-building practices will be made to the landlord, tenant, or sharecropper who carried out the practices. If the county committee determines that more than one person carried out practices on the farm in 1939, the payment will be divided in the proportion that the units of practices carried out by each person bears to the total units of practices carried out on the farm in 1939. All persons who contributed to a practice carried out on a particular acreage will be deemed to have contributed equally to the units for the practice unless they satisfy the county committee that

their contributions were not equal. In that event the units for the practice will be divided in the proportion which the county committee determines each person contributed.

c. **Proration of net deductions.**—If for any farm the sum of the net payments exceeds the sum of the net deductions, the sum of the net deductions will be prorated among the persons for whom a net payment is computed, on the basis of such computed net payments. If for any farm the sum of the net deductions equals or exceeds the sum of the net payments, no payment will be made and the amount of the net deductions in excess of the net payments will be prorated among the persons for whom a net deduction is computed, on the basis of such computed net deductions.

SECTION 11. INCREASE IN SMALL PAYMENTS

The total payment computed for any person for any farm will be increased as follows:

- (a) Any payment amounting to 71 cents or less will be increased to \$1.00;
- (b) Any payment amounting to more than 71 cents but less than \$1.00 will be increased by 40 percent;
- (c) Any payment amounting to \$1.00 or more will be increased in accordance with the following schedule.

Amount of payment computed	Increase in payment	Amount of payment computed	Increase in payment
\$1 to \$1.99-----	\$0. 40	\$32 to \$32.99-----	\$10. 40
\$2 to \$2.99-----	. 80	\$33 to \$33.99-----	10. 60
\$3 to \$3.99-----	1. 20	\$34 to \$34.99-----	10. 80
\$4 to \$4.99-----	1. 60	\$35 to \$35.99-----	11. 00
\$5 to \$5.99-----	2. 00	\$36 to \$36.99-----	11. 20
\$6 to \$6.99-----	2. 40	\$37 to \$37.99-----	11. 40
\$7 to \$7.99-----	2. 80	\$38 to \$38.99-----	11. 60
\$8 to \$8.99-----	3. 20	\$39 to \$39.99-----	11. 80
\$9 to \$9.99-----	3. 60	\$40 to \$40.99-----	12. 00
\$10 to \$10.99-----	4. 00	\$41 to \$41.99-----	12. 10
\$11 to \$11.99-----	4. 40	\$42 to \$42.99-----	12. 20
\$12 to \$12.99-----	4. 80	\$43 to \$43.99-----	12. 30
\$13 to \$13.99-----	5. 20	\$44 to \$44.99-----	12. 40
\$14 to \$14.99-----	5. 60	\$45 to \$45.99-----	12. 50
\$15 to \$15.99-----	6. 00	\$46 to \$46.99-----	12. 60
\$16 to \$16.99-----	6. 40	\$47 to \$47.99-----	12. 70
\$17 to \$17.99-----	6. 80	\$48 to \$48.99-----	12. 80
\$18 to \$18.99-----	7. 20	\$49 to \$49.99-----	12. 90
\$19 to \$19.99-----	7. 60	\$50 to \$50.99-----	13. 00
\$20 to \$20.99-----	8. 00	\$51 to \$51.99-----	13. 10
\$21 to \$21.99-----	8. 20	\$52 to \$52.99-----	13. 20
\$22 to \$22.99-----	8. 40	\$53 to \$53.99-----	13. 30
\$23 to \$23.99-----	8. 60	\$54 to \$54.99-----	13. 40
\$24 to \$24.99-----	8. 80	\$55 to \$55.99-----	13. 50
\$25 to \$25.99-----	9. 00	\$56 to \$56.99-----	13. 60
\$26 to \$26.99-----	9. 20	\$57 to \$57.99-----	13. 70
\$27 to \$27.99-----	9. 40	\$58 to \$58.99-----	13. 80
\$28 to \$28.99-----	9. 60	\$59 to \$59.99-----	13. 90
\$29 to \$29.99-----	9. 80	\$60 to \$185.99-----	14. 00
\$30 to \$30.99-----	10. 00	\$186 to \$199.99-----	(1)
\$31 to \$31.99-----	10. 20	\$200 and over-----	(2)

¹ Increase to \$200.

² No increase.

SECTION 12. PAYMENTS LIMITED TO \$10,000

The total of all payments under the 1939 program to any individual, partnership, or estate upon farms and ranching units located within a single State will not exceed \$10,000. The total of all payments to any person other than an individual, partnership, or estate upon farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) will not exceed \$10,000.

All or any part of any payment which has been or otherwise would be made to any person under the 1939 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, or formation of any corporation, partnership, estate, trust, or by any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

SECTION 13. DEDUCTIONS INCURRED ON OTHER FARMS

(a) **Other farms in the same county.**—If the deductions for any farm exceed the payment for full performance on the farm, a landlord's or tenant's share of the net deduction for the farm will be deducted from his share of any payment which would otherwise be made to him on any other farms in the same county.

(b) **Other farms in the State.**—If the deductions computed for a landlord or tenant for one or more farms in a county exceed the payments computed for him on other farms in the county, the amount of such excess deductions will be deducted from the payment computed for him for farms in the State if the State committee finds that the crops grown and the practices adopted on the farm for which the deductions are computed substantially offset the contribution to the program made on such other farms.

SECTION 14. DEDUCTION FOR ASSOCIATION EXPENSES

There will be deducted pro rata from the payments for any farm all or part of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

SECTION 15. MATERIALS FURNISHED AS GRANTS OF AID

Wherever it is found practicable, limestone, superphosphate, and other materials, upon request of the producer, may be furnished by the A. A. A. as grants of aid to be used in carrying out approved soil-building practices which will be counted toward meeting the soil-building goal for the farm. Wherever such materials are furnished, a deduction from the payment for the farm will be made in the amount of the approximate average cost of such material to the Agricultural Adjustment Administration in any county, State or other area. Such deduction will be applied first to the payment computed for the person to whom such materials are furnished, and any balance will be prorated among the payments to other persons sharing in the payment for the farm on which the materials were used.

In making a request for materials, the producer will agree that in the event the amount of the deduction for materials exceeds the amount of the payment for the farm, the difference will be repaid by him.

SECTION 16. GENERAL PROVISIONS RELATING TO PAYMENTS

a. Payment restricted to effectuation of purposes of the program.—(1) All or any part of any payment which otherwise would be made to any person under the 1939 program may be withheld: (a) If he has adopted any practice which tends to defeat any of the purposes of the 1939 or previous agricultural conservation programs; (b) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized; or (c) if for forest land or woodland owned or controlled by him, he has adopted any practice which is found contrary to sound conservation practices. (2) No payments other than payments for restoration land and soil-building practices will be computed for any farm which is idle in 1939. (3) In the wind erosion area no payment will be made to any person if he allows any part of the cultivated acreage in any farm which he operates or controls in the county to become a wind erosion hazard during 1939 by failing to carry out approved wind erosion control measures.

b. Payment computed and made without regard to claims.—Any payment or share of payment will be computed and made without regard to questions of title under State law, without deduction of claims for advances (except assignments approved on ACP-69) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

c. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.—If on any farm in 1939 any change of the arrangements which existed on the farm in 1938 is made between the landlord and the tenants or sharecroppers and the change would cause a greater proportion of the payments to be made to the landlord under the 1939 program than would have been made to the landlord for performance on the farm under the 1938 program, payments to the landlord upon the farm will not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the farm in 1938 had been continued in 1939, if the county committee certifies that the change is not justified and disapproves it.

If on any farm the number of sharecroppers or share tenants in 1939 is less than the average number on the farm during the years 1936 to 1938, inclusive, and this reduction would increase the payments that otherwise would be made to the landlord, the payments to the landlord will not be greater than the amount that otherwise would be made if the county committee certifies that the reduction is not justified and disapproves it.

If the State committee finds that any person who files an application for payment under the 1939 program has employed any other scheme or device, the effect of which would be or has been to deprive

any other person of any payment under any agricultural conservation program to which the person normally would be entitled, any payment which has been or would otherwise be made to him under the 1939 program may be withheld in whole or in part from the person participating in or employing the scheme or device, or the person may be required to refund the payment in whole or in part.

d. Assignments.—Any person who may be entitled to any payment in connection with the 1939 program may assign the payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1939. No assignment will be recognized unless the assignment is made in writing on ACP-69 in accordance with instructions in ACP-70.

e. Use of soil-conserving crops for market.—The A. A. A. will announce the counties in which: (1) The number of cows kept for the production of milk exceeds by more than 5 percent the normal number of such cows; (2) the acres retired from soil-depleting crops exceed 5 percent of the normal acreage of such crops and exceed 1,000 acres; and (3) the average number of cows kept for the production of milk exceeds two cows per farm and exceeds two cows per 160 acres of farm land.

In such counties, payments will not be made upon any farm on which: (1) More than 10 percent of the milk or milk products produced on the farm are disposed of for market; (2) the number of dairy cows exceeds the normal number by more than two; and (3) the acreage of cropland and restoration land devoted to soil-depleting crops is less than normal and any part of the soil-conserving crops grown upon the acreage shifted from soil-depleting crops is used for feeding cows for the production of milk or milk products for market.

As used in this paragraph, the term "for market" means for disposition by sale, barter, or exchange, or by feeding (in any form) to dairy livestock which, or the products of which, are to be sold, bartered, or exchanged. The term does not include consumption on the farm. An agricultural commodity is deemed to be consumed on the farm if consumed by the farmer's family, employees, or household, or if fed to poultry or livestock other than dairy livestock on his farm, or if fed to dairy livestock on his farm and such dairy livestock, or the products thereof, are to be consumed by his family, employees, or household. As used in this paragraph, the term "soil-conserving crops" means grasses and legumes grown on cropland except those classified as soil-depleting in Section 6.

SECTION 17. APPLICATION FOR PAYMENT

a. Persons eligible to file applications.—An application for payment for a farm may be made by any person for whom, under the provisions of section 10, a share in the payment on the farm may be computed and (1) who at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (2) who is owner or operator of such farm and participates thereon in 1939 in carrying out approved soil-building practices or in carrying out conservation measures designed to promote restoration of a permanent vegetative cover on restoration land.

b. Time and manner of filing application and information required.—Payment will be made only upon application submitted through the county office. The right is reserved (1) to withhold payment from any person who fails to file any form or furnish any information required upon any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within a fixed time. At least 2 weeks' notice to the public will be given of the expiration of a time limit for filing prescribed forms. Such notice will be given by mailing it to the office of each county committee and making copies available to the press.

c. Applications for other farms.—If a person has the right to receive all or a portion of the crops or proceeds therefrom, produced on more than one farm in a county and makes application for payment on one of such farms, he must make application for payment on all such farms. Upon request by the State committee any person will file with the committee any information it may request regarding any other farm in the State on which he has the right to receive all or a portion of the crops or proceeds thereof.

SECTION 18. APPEALS

Any person may, within 15 days after notice is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determination on any of the following matters affecting any farm in which he has an interest: (a) Eligibility to file an application for payment; (b) any soil-depleting acreage allotment or soil-building goal; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment for the farm. The county committee will notify such person of its decision in writing within 15 days after receipt of the written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee will notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the North Central Division to review the decision of the State committee.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D. C.

1939 AGRICULTURAL CONSERVATION PROGRAM
BOONE COUNTY, INDIANA

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Sec. 1. AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY.

a. Authority.--Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148), as amended, and in connection with the effectuation of the purposes of section 7 (a) of said Act in 1939, payments and grants of aid will be made in Boone County, Indiana, for participation in the 1939 Boone County Agricultural Conservation Program (hereinafter referred to as the 1939 Boone County program) in accordance with the provisions hereof and such modifications thereof or other provisions as may hereafter be made.

b. Availability of funds.--The provisions of the 1939 Boone County program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments and grants of aid herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purposes; and the amounts of such payments and grants of aid will necessarily be within the limits finally determined by such appropriation. The rates of payments and deductions specified herein are subject to an increase or decrease of not more than 10 percent, depending upon the extent of participation in the program and the final estimate of payments which would be made in Boone County under the 1939 Agricultural Conservation Program.

c. Applicability.--The provisions of the 1939 Boone County program contained in this bulletin are applicable only to Boone County, Indiana, and do not apply to land owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, or other lands in which the beneficial ownership is in the United States.

Sec. 2. DEFINITIONS.

For the purpose of the 1939 Boone County program, unless the context otherwise requires:

a. Officials.

- (1) Secretary means the Secretary of Agriculture of the United States.
- (2) Administrator means the Administrator of the Agricultural Adjustment Administration.
- (3) Regional Director means the Director of the North Central Region.
- (4) State Committee means the group of persons designated within Indiana to assist in the administration of the agricultural conservation programs in Indiana.

- (5) County committee means the group of persons elected within Boone County to assist in the administration of the agricultural conservation programs in that county.

b. Areas.

- (1) North Central Region means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

c. Farms.

- (1) Farm means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:
- (a) Any other adjacent or nearby farm land operated by the same person (as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land), the inclusion of which is requested or agreed to, within the time and in the manner specified by the Agricultural Adjustment Administration, by the operator and all the owners who are entitled to share in the proceeds of the crops on any of the land to be included in the farm, and
 - (b) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops; Provided, That land not under the same ownership shall be included in the same farm only if the county committee determines that:
 - (i) There is one crop rotation system on the entire area of land;
 - (ii) The yields and productivity of the different ownerships do not vary substantially;
 - (iii) The combination is not being made for the purpose of increasing acreage allotments or primarily for the purpose of effecting compliance;
 - (iv) The several ownership tracts constitute a farming unit for the operator and will be regarded in the community as a farm in 1939.

A farm shall be regarded as located in the county or administrative area, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or administrative area, as the case may be, in which the major portion of the farm is located.

- (2) Non-corn-allotment farm means a farm (a) for which no corn acreage allotment is determined, or (b) for which a corn acreage allotment of 8 acres or less is determined and the persons having an interest in the corn planted on the farm elect, in accordance with instructions issued by the Agricultural Adjustment Administration, to have such farm considered as a non-corn-allotment farm.
- (3) Non-wheat-allotment farm means (a) a farm for which no wheat acreage allotment is determined, (b) a farm for which a wheat acreage allotment of 8 acres or less is determined and the persons having an interest in the wheat planted on the farm elect, in accordance with instructions issued by the Agricultural Adjustment Administration, to have such farm considered as a non-wheat-allotment farm.
- (4) Non-general-allotment farm means a farm for which a total soil-depleting acreage allotment of 20 acres or less is determined and the persons having an interest in the general soil-depleting crops planted on the farm elect, in accordance with instructions issued by the Agricultural Adjustment Administration, to have such farm considered as a non-general-allotment farm.

d. Crops and land uses.

- (1) Acreage planted to corn means the acreage of land seeded to field corn, sweet corn, and popcorn, except (a) any acreage of sweet corn contracted to be sold for canning, (b) any acreage of sweet corn sold for canning or roasting ears, (c) any acreage of sweet corn to be sold or used as seed, (d) any acreage of popcorn sold or to be used as seed, (e) any acreage of sown or close-drilled corn used as a cover crop or green manure crop, and (f) any acreage of sweet corn or popcorn in home gardens for use on the farm.
- (2) Acreage planted to wheat means (a) any acreage of land devoted to seeded wheat (except when such crop is seeded in a mixture containing less than 50 percent by weight of wheat, or containing 25 percent or more by weight of rye, barley, vetch or Austrian winter peas,

and the seeding mixture may reasonably be expected to produce a crop containing such proportions of plants other than wheat that the crop could not be harvested as wheat for grain or seed) which is on the farm on or after December 15, 1938;

(b) any acreage of land devoted to volunteer wheat which remains on the land until May 1, 1939; and (c) any acreage of land which is seeded to a mixture containing wheat but the crops other than wheat fail to reach maturity and the wheat is harvested for grain or hay.

(3) Soil-depleting acreage means the acreage of land devoted during the 1939 crop year to one or more of the following crops or uses.

(a) Corn planted for any purpose except sown or close-drilled corn used as a cover crop or green manure crop and sweet corn or popcorn grown in home gardens for use on the farm.

(b) Grain sorghums planted for any purpose.

(c) Mangels or cowbeets planted for any purpose.

(d) Potatoes planted for any purpose except when grown in home gardens for use on the farm.

(e) Annual truck and vegetable crops planted for any purpose except when grown in home gardens for use on the farm.

(f) Perennial truck and vegetable crops harvested for any purpose except when grown in home gardens for use on the farm.

(g) Commercial bulbs and flowers, commercial mustard, cultivated sunflowers, mint, safflower, or hemp harvested for any purpose.

(h) Field beans planted for any purpose.

(i) Peas harvested for canning, freezing, or dried peas, except when grown in home gardens for use on the farm.

(j) Soybeans harvested for seed or when seed matures.

(k) Flax planted for any purpose except when used as a nurse crop for biennial or perennial legumes or perennial grasses of which a good stand is established in 1939.

- (l) Wheat planted (or regarded as planted) for any purpose on a farm considered as an allotment farm with respect to wheat.
 - (m) Wheat (on a non-wheat-allotment farm), oats, barley, rye, emmer, speltz, or mixtures of these crops harvested for grain.
 - (n) Wheat (on a non-wheat-allotment farm), oats, barley, rye, emmer, speltz, or mixtures of these crops harvested for hay except (1) when such crops are used as nurse crops for legumes or perennial grasses of which a good stand is established in 1939 and the nurse crop is cut green for hay, or (2) when such crops are grown in a mixture containing at least 25 percent by weight of winter legumes.
 - (o) Buckwheat, Sudan grass, or millet harvested for grain or seed.
 - (p) Sweet sorghums when harvested for any purpose.
 - (q) Land summer followed and not protected from water erosion by methods approved by the State committee.
 - (r) Such other similar crops and uses as may be specified by the Administrator.
- (4) General soil-depleting crops or general crops mean all crops and land uses in the definition of soil-depleting acreage except the crops for which separate crop acreage allotments are established on the farm.
 - (5) Commercial orchards means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, or bush fruits on the farm on January 1, 1939 (excluding non-bearing orchards and vineyards), from which the principal part of the production is normally sold.
- e. Miscellaneous.
- (1) Person means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.
 - (2) Landlord or owner means a person who owns land and rents such land to another person or operates such land.

- (3) Tenant means a person who rents land from another person (for cash, or fixed commodity payment or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.
- (4) Cropland means farm land which in 1938 was tilled or was in regular rotation, excluding any land in commercial orchards.
- (5) Noncrop open pasture land means pasture land (other than rotation pasture land and range land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.
- (6) Special crop acreage allotment means a corn or wheat acreage allotment.
- (7) Animal unit means one cow, one horse, five sheep, or five goats, two calves, or two colts, or the equivalent thereof.

Sec. 3. COUNTY ACREAGE ALLOTMENTS.

a. Total soil-depleting acreage allotment.--The Boone County total soil-depleting acreage allotment is 123,744 acres, as determined in accordance with the North Central Region procedure for determining county total soil-depleting acreage allotments.

b. Corn allotment.--The Boone County corn acreage allotment is 63,115 acres, as determined in accordance with the North Central Region procedure for determining county corn acreage allotments.

c. Wheat allotment.--The Boone County wheat acreage allotment is 16,260 acres, as determined in accordance with the North Central Region procedure for determining county wheat acreage allotments.

Sec. 4. FARM ACREAGE BASES, ALLOTMENTS, DIVERSION GOALS, AND SOIL-BUILDING GOALS.

The county committee, with the assistance of other local committees in the county, shall establish acreage bases, acreage allotments, and diversion goals in accordance with provisions contained herein and instructions issued by the Agricultural Adjustment Administration. The soil-depleting acreage allotments established for the farms in the county shall not exceed the applicable county acreage allotment established for the county.

a. Total soil-depleting acreage base.--The total soil-depleting acreage base for any farm shall be determined on the basis of the total soil-depleting acreage on the farm during the years 1936-1938, inclusive.

b. Corn acreage base.--The corn acreage base for any farm shall be determined on the basis of the corn acreage on the farm during the years 1936-1938, inclusive.

c. Wheat acreage base.--The wheat acreage base for any farm shall be determined on the basis of the wheat acreage on the farm during the years 1936-1938, inclusive.

d. Total soil-depleting acreage allotment.--The total soil-depleting acreage allotment for any farm shall be determined on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion, and the acreage of all soil-depleting crops customarily grown on the farm, taking into consideration special crop acreage allotments determined for the farm. The total soil-depleting acreage allotment for any farm shall be comparable with the allotments determined for other farms in the same community which are similar with respect to such factors.

e. Corn allotment.--Acreage allotments for corn shall be determined for farms on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The allotment for any farm shall be comparable to the allotments recommended for other farms in the same community which are similar with respect to such factors. For any farm with respect to which a corn acreage allotment of 8 acres or less is determined and, in accordance with instructions issued by the Agricultural Adjustment Administration, the persons having an interest in the corn planted on the farm so elect, such farm shall be considered as a non-corn-allotment farm.

f. Wheat allotment.--Acreage allotments of wheat shall be determined for farms on which wheat has been planted for harvest in one or more of the years 1936, 1937, and 1938, on the basis of tillable acreage and crop rotation practices as reflected in the usual acreage of wheat on the farm or the ratio of wheat acreage to cropland in the community or in the county, and on the basis of the type of soil and topography. Not more than 3 percent of the county wheat acreage allotment shall be apportioned to farms in the county on which wheat was not planted for harvest in any one of the three years 1936, 1937, and 1938, on the basis of tillable acreage, crop rotation practices, type of soil and topography. The wheat acreage allotment for any farm shall be comparable with the allotment determined for other farms in the same community which are similar with respect to such factors. Wheat acreage allotments may be established for all farms; Provided, That no allotment will be established for farms with respect to which the allotment determined for the farm is or would be 8 acres or less and, in accordance with instructions issued by the Agricultural Adjustment Administration, the persons having an interest in the wheat planted on the farm elect to have such farm considered as a non-wheat-allotment farm.

g. Total soil-depleting diversion goal.--The total soil-depleting diversion goal for any farm shall be the amount by which the total soil-depleting acreage base exceeds the total soil-depleting acreage allotment established for the farm.

h. Corn diversion goal.--The corn diversion goal for any farm shall be the amount by which the corn acreage base exceeds the corn acreage allotment established for the farm.

i. Wheat diversion goal.--The wheat diversion goal for any farm shall be the amount by which the wheat acreage base exceeds the wheat acreage allotment established for the farm.

j. Soil-building goal.--The soil-building goal for any farm shall be one unit of soil-building practices for each \$1.50 of the payment computed for the farm under section 7d. Insofar as practicable, the county committee should determine for individual farms practices to be followed in meeting the goal which are not routine practices on the farm but which are needed on the farm in order to conserve and improve soil fertility and prevent water erosion.

Sec. 5. NORMAL YIELDS AND PRODUCTIVITY INDEXES.

a. Normal yields of special soil-depleting crops.--The county committee, with the assistance of other local committees in the county, shall determine for each farm for which a corn or wheat allotment is established or a deduction is computed, a normal yield for each such crop in accordance with the provisions of this section and instructions issued by the Agricultural Adjustment Administration.

(1) Where reliable records of the actual average yields per acre of corn or wheat, as the case may be, for the ten years 1928 to 1937, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields adjusted for trends and abnormal weather conditions in accordance with instructions issued by the Agricultural Adjustment Administration.

(2) If for any year of such ten-year period reliable records of the actual average yield are not available or there was no actual yield because the crop was not planted on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all the available facts, including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such ten-year period. Where the productivity index most recently established for the farm in connection with the agricultural conservation programs is determined by the county committee to be

an accurate reflection of the foregoing factors, the yield obtained by multiplying such index by the county average yield established by the Secretary shall be used as the normal yield for the farm.

- (3) The yields determined under subdivision (2) of this subsection "a" shall be adjusted so that the average of the normal yields for all farms in the county (weighted by the respective corn or wheat acreage allotments established for such farms) shall conform to the county average yield established by the Secretary.

b. Productivity indexes.--The Boone County productivity index is 118.3 percent, as determined in accordance with the North Central Region procedure for determining county productivity indexes.

A productivity index or rate per acre shall be determined in accordance with instructions issued by the Agricultural Adjustment Administration for each farm in Boone County by the county committee, subject to the approval of the State committee. Such productivity index or rate per acre shall be based upon the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of a crop that reflects the productivity of the farm may be used, provided that the productivity index or rate per acre for such farms shall be adjusted, if necessary, so as to be fair and equitable as compared with the productivity indexes or rates per acre for other farms in the county having similar soils or productive capacity, and as contrasted with other farms in the county having different soils or productive capacity.

The average productivity index or per acre rate for all farms for which productivity indexes or per acre rates are determined in the county shall not exceed 100 or the county per acre rate, respectively.

Sec. 6. SOIL-BUILDING PRACTICES.

The soil-building practices listed in the following schedule shall count toward the achievement of the soil-building goal to the extent indicated therein, when such practices are carried out in 1939 in accordance with specifications issued by the regional director or by the State committee with the approval of the regional director. The specifications issued shall be such as to assure that the soil-building practice will be performed in workmanlike manner and in accordance with good farming practice for the locality.

Practices carried out with labor, seed, trees, and materials furnished entirely by any State or Federal agency other than the Agricultural Adjustment Administration shall not be counted toward the achievement of the soil-building goal. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency other than the Agricultural Adjustment Administration and

such portion represents one-half or more of the total cost of carrying out such practices, such practice shall not be counted toward the achievement of the soil-building goal if such portion represents less than half of the total cost of carrying out such practice, one-half of such practice shall be counted toward the achievement of the soil-building goal; Provided, That labor, seed, trees, and materials furnished to a State, a political subdivision of a State, or an agency thereof by an agency of the same State shall not be deemed to be furnished by "any State . . . agency" within the meaning of this paragraph.

Trees purchased from a Clark-McNary Cooperative State Nursery shall not be deemed to be paid for in whole or in part by a State or Federal agency.

The unit credits listed below are the maximum units allowable, and the credit for any practice included may be adjusted downward by the Indiana State committee with the approval of the Administrator.

SCHEDULE OF SOIL-BUILDING PRACTICES

a. Practice unit equivalent--one unit.--Each of the following practices in the amounts specified shall be counted as one unit; Provided, That, when the materials specified in subparagraph (1), (2), or (3) of this paragraph are applied to permanent pasture, biennial or perennial legumes, perennial grasses, winter legumes, or lespedeza, seeded or grown in connection with a soil-depleting crop, no part of the material applied shall be counted as a practice unit.

- (1) Application of 300 pounds of 16 percent superphosphate (or its equivalent) to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, or permanent pasture.
- (2) Application of 200 pounds of 50 percent muriate of potash (or its equivalent) to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, or permanent pasture.
- (3) Application of 500 pounds of basic slag or rock phosphate to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, or permanent pasture.
- (4) Reseeding depleted pastures with good seed of adapted pasture grasses or legumes - 10 pounds of seed.
- (5) Contour ridging of noncrop open pasture land - 750 linear feet of ridge or terrace.

- (6) Application of not less than two tons, air dry weight, of straw or equivalent mulching materials, excluding barnyard and stable manure, per acre in orchards or on vegetable land.
- (7) Application of 2,000 pounds of ground limestone or its equivalent. The ground limestone should not be coarser than that obtained by grinding calcareous or dolomitic limestone so that not less than 90 percent, with all finer particles obtained in the grinding process included, will pass through a 10-mesh sieve. It must contain calcium and magnesium carbonates equivalent to not less than 80 percent of calcium carbonate. The following quantities of other calcareous substances are equivalent to 1 ton of ground limestone: 1,400 pounds of hydrated lime; 2 cubic yards of marl, calcium carbide refuse lime, water softening process refuse lime, paper mill refuse lime, or commercial wood ashes; 1/2 ton of commercial burnt lime; 4 cubic yards of calcareous clay; 1 ton of burnt lime waste; 1 ton of agricultural limestone meal; 2,750 pounds of limestone screenings; 2 1/2 tons blast furnace slag ground sufficiently so that all particles will pass through a 10-mesh sieve.
- (8) Natural reseeding of noncrop open pasture by nongrazing during the normal pasture season on an acreage equal to one-half of the number of acres of such pasture required to carry one animal unit for a 12-month period.
- (9) Construction of 200 linear feet of standard terrace for which proper outlets are provided.

b. Unit equivalents per acre--one unit.--Each acre of the following shall be counted as one unit:

- (1) Seeding biennial legumes, perennial legumes, perennial grasses (other than timothy or redtop) or mixtures (other than a mixture consisting solely of timothy and redtop) containing perennial grasses, perennial legumes, or biennial legumes (except any of such crops qualifying at a higher rate of credit under any other practice listed in this section 6).
- (2) Seeding annual lespedeza, annual ryegrass, or annual sweet clover.
- (3) In orchards or on vegetable or potato land, green manure crops or cover crops of oats, barley, rye, Sudan grass, millet, annual ryegrass, buckwheat, sweet sorghums, annual legumes (excluding lespedeza), biennial legumes (except as cover crops), wheat and mixtures of any of these crops, provided; (a) A good growth is obtained; (b) such crop is not pastured or harvested as grain, seed, hay, or forage,

or otherwise taken from the land; (c) where such crop is used as a green manure crop it is incorporated into the soil by plowing or disking before November 1, 1939, and where the land is subject to erosion it is followed by a winter cover crop; (d) where biennial legumes are used as a green manure crop they must be incorporated into the soil before July 1, 1939; (e) where such crop is used as a cover crop a good vegetative growth of such crop is on the land on November 1, 1939; and (f) credit is not given in 1939 for such crop under any other practice.

c. Unit equivalents per acre--two units.--Each acre of the following shall be counted as two units:

- (1) Seeding alfalfa.
- (2) Cultivating, protecting, and maintaining by replanting, if necessary, a good stand of forest trees, planted between July 1, 1935, and July 1, 1939.
- (3) With prior approval of the county committee improving a stand of forest trees under such approved system of farm woodlot management as is specified by the Agricultural Adjustment Administration.

d. Unit equivalents per acre-five units.--Each acre of the following shall be counted as five units:

- (1) Planting forest trees (including shrubs in protective plantings) provided such trees are protected and cultivated in accordance with good tree culture practice.

e. Acre equivalents per unit--two acres.--Each two acres of the following shall be counted as one unit:

- (1) Seeding timothy or redbud or a mixture consisting solely of timothy and redbud.

f. Acre equivalents per unit--four acres.--Each four acres of the following shall be counted as one unit:

- (1) Restoration of farm woodlots, normally overgrazed, by nongrazing during the normal pasture season. Credit will not be allowed for more than two acres of woodland for each animal unit normally grazed on such woodland.
- (2) Growing alternate strips of intertilled crops with sown, close-drilled, or sod crops.

g. Acre equivalents per unit--eight acres.--Each eight acres of the following shall be counted as one unit:

- (1) Contour farming intertilled crops.

h. Acre equivalents per unit--ten acres.--Each ten acres of the following shall be counted as one unit:

- (1) Contour seeding of small grain crops.

Sec. 7. PAYMENT FOR FULL PERFORMANCE.

Payment will be made with respect to any farm for not exceeding soil-depleting acreage allotments and for achieving soil-building goals in an amount which shall be the sum of the following:

a. Corn.

- (1) 25 cents per bushel for the normal yield per acre of corn for the farm for each acre in the corn diversion goal; plus,
- (2) 3 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn allotment, or if the acreage planted to corn is less than 80 percent of the corn allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to corn unless the county committee finds that failure to plant 80 percent of the allotment was due to flood or drought.

b. Wheat.

- (1) 25 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat diversion goal; plus,
- (2) 6 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat allotment; or, if the acreage planted to wheat is less than 80 percent of the wheat allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to wheat unless the county committee finds that failure to plant 80 percent of the allotment was due to flood or drought.

c. General soil-depleting crops.

- (1) \$5.00 per acre, adjusted for productivity, for each acre in the total soil-depleting diversion goal established for the farm in excess of the sum of the special diversion goals established for such farm; plus,
- (2) 50 cents per acre, adjusted for productivity, for each acre in the total soil-depleting acreage allotment established for the farm in excess of the sum of the acreages used in computing payments with respect to corn and wheat allotments.

d. Payments in connection with soil-building practices.

- (1) 50 cents per acre of cropland in the farm in excess of the total soil-depleting acreage allotment for the farm.
- (2) \$2.00 per acre of commercial orchards on the farm January 1, 1939.
- (3) 20 cents per acre of noncrop open pasture land in the farm.
- (4) \$1.10 per acre, adjusted for productivity, for each acre in the total soil-depleting acreage allotment established for the farm in excess of the sum of the acreages used in computing payments with respect to the special crop acreage allotments established for the farm (applicable only to non-general-allotment farms).

Sec. 8. PAYMENTS FOR PARTIAL PERFORMANCE.

Payments computed for any farm under the provisions of section 7 shall be subject to all the following deductions which are applicable to the farm:

a. Corn.

(1) Allotment farms

For each acre of corn planted in excess of the corn acreage allotment, the smaller of

- (a) The amount obtained by dividing the maximum payment computed with respect to corn by the number of acres in the corn diversion goal; or
- (b) The amount obtained by multiplying the normal corn yield for the farm by \$0.40 per bushel.

(2) Non-corn-allotment farms

- (a) \$0.40 per bushel of the normal yield for the farm for each acre planted to corn in excess of 8 acres.

b. Wheat.

(1) Allotment farms

For each acre of wheat planted in excess of the wheat acreage allotment, the smaller of

- (a) The amount obtained by dividing the maximum payment computed with respect to wheat by the number of acres in the wheat diversion goal; or

- (b) The amount obtained by multiplying the normal wheat yield for the farm by \$0.50 per bushel.

(2) Non-wheat-allotment farms

- (a) \$0.50 per bushel of the normal yield for the farm for each acre seeded to wheat in excess of 8 acres.

c. General Soil-Depleting Crops

(1) Allotment farms

For each acre classified as soil-depleting in excess of the total soil-depleting acreage allotment established for the farm, less the sum of the acres by which the special soil-depleting acreages exceed the respective special soil-depleting acreage allotments, the smaller of

- (a) The amount obtained by dividing the maximum payment computed with respect to general soil-depleting crops by the number of acres by which the total soil-depleting diversion goal exceeds the sum of the special diversion goals; or

- (b) \$8.00 per acre adjusted for productivity for the farm.

(2) Non-general-allotment farms

- (a) \$8.00 per acre, adjusted for productivity, for each acre classified as soil-depleting in excess of 20 acres.

d. Soil-Building Goal.--\$1.50 for each unit by which the soil-building goal is not reached.

Sec. 9. DIVISION OF PAYMENTS AND DEDUCTIONS.

a. Payments and deductions in connection with general soil-depleting crops and crops for which special crop acreage allotments are established.--The net payment or net deduction computed for any farm with respect to general soil-depleting crops, or any crop for which a special acreage allotment is established, shall be divided among the landlords and tenants in the same proportion (as indicated by their acreage shares expressed in terms of either acreages or percentages) that such persons are entitled at the time of harvest to share in the proceeds (other than a fixed commodity payment) of such crop(s) grown on the farm in 1939; Provided, That if because of crop failure the harvested acreage of any such crop(s) is less than the planted acreage of such crop(s) and the county committee finds, in accordance with instructions issued by the Agricultural Adjustment Administration, that use of the harvested acreage as a basis for the division of the net payment or net deduction would result in a materially different division from that which would result from the use of the planted acreage, such net payment or net deduction shall be divided among the landlords and tenants in the

proportion that the county committee determines that such persons would have shared in the proceeds of such crop(s) if the entire acreage planted to such crop(s) in 1939 had been harvested; Provided, further, that if any such crop(s) is not grown on the farm in 1939, the net payment or net deduction computed for such crop(s) shall be divided among the landlords and tenants in the proportion that the county committee determines that such persons would have shared in the proceeds of such crop(s) if the entire acreage in such acreage allotment had been planted and harvested in 1939; Provided, further, that upon the written agreement of all persons who are entitled to receive a landlord's share of the proceeds of any such crop(s), the share of each such person in the net payment or net deduction computed with respect to such crop(s) on any farm comprising separately owned tracts of land shall be determined on the basis of each such person's respective share (as indicated by their acreage shares expressed in terms of either acreages or percentages) in the acreage allotments which could have been established for such crop(s) on the land in which he has an interest.

b. Payments in connection with soil-building practices.--The amount of net payment earned in connection with the soil-building goal for the farm shall be made to the landlord, or tenant, who carried out the soil-building practices. If the county committee determines that more than one such person contributed to the carrying out of soil-building practices on the farm in 1939, such payment shall be divided in the proportion that the units contributed by each such person to such practices bears to the total units of such practices carried out on the farm in 1939. All persons contributing to the carrying out of any soil-building practice on a particular acreage shall be deemed to have contributed equally to the units of such practice unless such persons establish to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event such units shall be divided in the proportion which the county committee determines each such person contributed thereto.

c. Proration of net deductions.--If the sum of the net payments computed for all persons on a farm exceeds the sum of the net deductions computed for all persons on such farm, the sum of the net deductions computed for all persons on such farm shall be prorated among the persons on such farm for whom a net payment is computed, on the basis of such computed net payments. If the sum of the net deductions computed for all persons on a farm equals or exceeds the sum of the net payments computed for all persons on such farm, no payment will be made with respect to such farm and the amount of such net deductions in excess of the net payments shall be prorated among the persons on such farm for whom a net deduction is computed, on the basis of such computed net deductions.

Sec. 10. INCREASE IN SMALL PAYMENTS.

The total payment computed under sections 7 to 9, inclusive, for any person with respect to any farm shall be increased as follows:

- (a) Any payment amounting to 71 cents or less shall be increased to \$1.00;

- (b) Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
- (c) Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of Payment Computed	Increase in Payment	Amount of Payment Computed	Increase in Payment
\$1.00 to \$ 1.99	\$ 0.40	\$ 32.00 to \$ 32.99	\$ 10.40
2.00 to 2.99	.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	(1)
31.00 to 31.99	10.20	200.00 and over	(2)
(1) Increase to \$200.00		(2) No Increase	

Sec. 11. PAYMENTS LIMITED TO \$10,000.

The total of all payments made in connection with programs for 1939 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms located within Indiana shall not exceed the sum of \$10,000. The total of all payments made in connection with programs for 1939 under section 8 of the Soil

Conservation and Domestic Allotment Act to any person other than an individual, partnership, or estate with respect to farms, ranching units and turpentine places, in the United States (including Alaska, Hawaii, and Puerto Rico), shall not exceed the sum of \$10,000.

All or any part of any payment which has been or otherwise would be made to any person under the 1939 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, or formation of any corporation, partnership, estate, trust, or by any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Sec. 12. DEDUCTIONS INCURRED ON OTHER FARMS.

a. Other farms in Boone County.--If the deductions computed under section 8 with respect to any farm in a county exceed the payment for full performance on such farm computed under section 7, a landlord's or tenant's share of the amount by which such deduction exceeds such payments shall be deducted from such landlord's or tenant's share of the payment which would otherwise be made to him with respect to any other farms in Boone County.

b. Other farms in the State.--If the deductions computed for a landlord or tenant with respect to one or more farms in Boone County exceed the payments computed for such landlord or tenant on other farms in Boone County, the amount of such excess deductions shall be deducted from the payments computed for such landlord or tenant with respect to any other farms in Indiana if the Indiana State Committee finds that the crops grown and practices adopted on the farm with respect to which such deductions are computed substantially offset the contribution to the program made on such other farms.

Sec. 13. DEDUCTION FOR ASSOCIATION EXPENSES.

There shall be deducted pro rata from the payments with respect to any farm all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the Boone County Agricultural Conservation Association.

Sec. 14. GENERAL PROVISIONS RELATING TO PAYMENTS.

a. Payment restricted to effectuation of purposes of the program.

- (1) All or any part of any payment which otherwise would be made to any person under the 1939 program may be withheld (a) if he has adopted any practices which the Secretary determines tends to defeat any of the purposes of the 1939 Boone County Program or previous agricultural conservation programs, (b) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such pay-

ment is otherwise authorized, or (c) if, with respect to forest land, or woodland, owned or controlled by him, he has adopted any practice which the regional director finds is contrary to sound conservation practices.

- (2) No payments other than payments in connection with soil-building practices shall be computed with respect to any farm which is idle in 1939.

b. Payment computed and made without regard to claims.--Any payments or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in paragraph (d) of this section 14) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

c. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices.--If on any farm in 1939 any change of the arrangements which existed on the farm in 1938 is made between the landlord and the tenants and such change would cause a greater proportion of the payments to be made to the landlord under the 1939 Boone County program than would have been made to the landlord for performance on the farm under the 1938 program, payments to the landlord under the 1939 Boone County program with respect to the farm shall not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the farm in 1938 had continued in 1939, if the county committee certifies that the change is not justified and disapproves such change.

If on any farm the number of share tenants in 1939 is less than the average number on the farm during the years 1936 to 1938, inclusive, and such reduction would increase the payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made if the county committee certifies that the reduction is not justified and disapproves such reduction.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1939 Boone County program has employed any other scheme or device, the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such other person would normally be entitled, the Secretary may withhold in whole or in part from the person participating in or employing such a scheme or device or require such person to refund in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1939 Boone County program.

d. Assignments.--Any person who may be entitled to any payment in connection with the 1939 Boone County program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1939. No such assignment will be recognized unless the assignment is made in writing on form ACP-69 in accordance with instructions (ACP-70) issued by the Agricultural Adjustment Administration.

Nothing contained in this section 14 shall be construed to give an assignee a right to any payment other than that to which the farmer is entitled nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the farmer without regard to the existence of any such assignment.

e. Excess cotton acreage.--Any person who knowingly plants cotton on his farm in 1939 on acreage in excess of the cotton acreage allotment established for the farm for 1939 shall not be eligible for any payment under the provisions of the 1939 program. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1939 on acreage in excess of the cotton acreage allotment for the farm for 1939 shall be presumed to have knowingly planted cotton on his farm on acreage in excess of such farm cotton acreage allotment if notice of the farm allotment is mailed to him prior to the completion of the planting of cotton on the farm, unless the farmer establishes the fact that the excess acreage was planted to cotton due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1939.

f. Use of soil-conserving crops for market.--Payment will not be made with respect to any farm unless on such farm in 1939 an acreage of cropland or restoration land, not devoted to soil-depleting crops, is withheld from the production of soil-conserving crops for market, equal to the acreage by which the normal acreage of soil-depleting crops on such farm exceeds the larger of (1) the total soil-depleting acreage allotment for the farm, or (2) the acreage devoted to soil-depleting crops on the farm in 1939: Provided, That payment shall not be denied any farmer for using such soil-conserving crops for market (1) if in the county in which the farm is located the number of cows kept for the production of milk or products thereof for market does not exceed the normal number of such cows; (2) if on such farm the number of cows kept for the production of milk or the products thereof for market does not exceed the normal number of such cows; or (3) if the Agricultural Adjustment Administration determines either (a) that the farmer has substantially complied with the provisions of this paragraph, or (b) that the county, as a whole, is in substantial compliance with such provisions.

Any farmer shall be deemed to have substantially complied with the provisions of this paragraph either (1) if the increase above normal in the number of dairy cows on his farm does not exceed two cows; or (2) if none of the soil-conserving crops to which such provisions are applicable are used for market other than through the disposition of dairy livestock for slaughter or through the disposition of less than ten percent of the milk, or products thereof, produced on the farm. A county, as a whole, shall be deemed to be in substantial compliance with such provisions unless: (1) the number of cows kept for the production of milk in the county exceeds by more than five percent the normal number of such cows; (2) the acres retired from soil-depleting crops in the county exceed five percent of the normal acreage of such crops and exceed 1,000 acres; and (3) the average number of cows kept for the production of milk exceeds two cows per farm and exceeds two cows per 160 acres of farm land.

The normal acreage of soil-depleting crops and the number of cows kept for the production of milk or the products thereof for market shall be determined for any farm in accordance with instructions issued by the Agricultural Adjustment Administration, and the Agricultural Adjustment Administration shall determine from the latest available statistics of the Department, and shall announce, the counties not deemed to be in substantial compliance.

As used in this paragraph (f), the term "for market" means for disposition by sale, barter, or exchange, or by feeding (in any form) to dairy livestock which, or the products of which, are to be sold, bartered, or exchanged, and such term shall not include consumption on the farm. An agricultural commodity shall be deemed to be consumed on the farm if consumed by the farmer's family, employees, or household, or if fed to poultry or livestock other than dairy livestock on his farm, or if fed to dairy livestock on his farm and such dairy livestock, or the products thereof, are to be consumed by his family, employees, or household. As used in this paragraph (f), the term "soil-conserving crops" means grasses and legumes grown on cropland except those listed in the definition of soil-depleting acreage in section 2.

Sec. 15. APPLICATION FOR PAYMENT.

a. Persons eligible to file applications.--An application for payment with respect to a farm may be made by any person for whom, under the provisions of section 9, a share in the payment with respect to the farm may be computed and (1) who at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (2) who is owner or operator of such farm and participates thereon in 1939 in carrying out approved soil-building practices.

b. Time and manner of filing application and information required.--Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office, within the time fixed by regional director. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by mailing the same to the office of the county committee and making copies of the same available to the press.

c. Applications for other farms.--If a person has the right to receive all or a portion of the crops or proceeds therefrom, produced on more than one farm in Boone County and makes application for payment with respect to one of such farms, such person must make application for payment with respect to all such farms which he operates or rents to other persons. Upon request by the State committee, any person shall file with the committee such information as it may request regarding any other farm in the State with respect to which he has the right to receive all or a portion of the crops or proceeds thereof.

Sec. 16. APPEALS.

Any person may, within 15 days after notice thereof is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determination with respect to any of the following matters affecting any farm in which he has an interest; (a) eligibility to file an application for payment; (b) any soil-depleting acreage base, soil-depleting acreage allotment, or soil-building goal; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

Sec. 17. STATE AND REGIONAL BULLETINS, I. INSTRUCTIONS AND FORMS.

The Agricultural Adjustment Administration is hereby authorized to make such determinations and to prepare and issue such bulletins, instructions, and forms, as may be required pursuant to the provisions hereof in administering the 1939 Boone County program.

[SEAL]

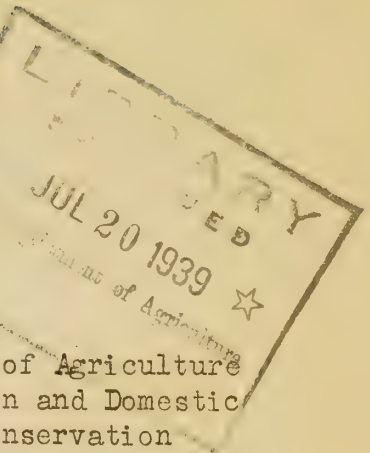
DONE at Washington, D. C., this
11th day of March, 1939.
Witness my hand and seal of the
Department of Agriculture.

/s/ H. A. WALLACE
Secretary of Agriculture.

Issued June 30, 1939

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D. C.

1939 AGRICULTURAL CONSERVATION PROGRAM
BOONE COUNTY, INDIANA



Pursuant to the authority vested in the Secretary of Agriculture under section 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, NCR-301B, 1939 Agricultural Conservation Program, Boone County, Indiana, is hereby amended as follows:

1. Section 1, subsection c, is amended by adding at the end thereof the following new paragraph:

For all purposes relating to the 1939 Boone County program, farming operations and practices carried out during the program year, November 1, 1938 to September 30, 1939, will be deemed to have been carried out in 1939, but any acreage of land seeded in the fall of 1939 to a small grain crop will not for that reason be regarded as having been devoted to that crop in 1939.

2. Section 2, d, Item (2), is amended to read as follows:

- (2) Acreage planted to wheat means (a) any acreage of land devoted to seeded wheat (except when such crop is seeded in a mixture containing less than 50 percent by weight of wheat, or containing 25 percent or more by weight of rye, barley, vetch or Austrian winter peas, and the seeding mixture may reasonably be expected to produce a crop containing such proportions of plants other than wheat that the crop could not be harvested as wheat for grain or seed) which is on the farm on or after December 15, 1938; (b) any acreage of land devoted to volunteer wheat which remains on the land until May 1, 1939; and (c) any acreage of land which is seeded to a mixture containing wheat but the crops other than wheat fail to reach maturity and the wheat matures as grain or is harvested for hay.

However, there shall be excluded from the acreage regarded as planted to wheat any acreage of wheat in excess of the wheat allotment which is designated on NCR-303 at the time this form is completed and which is disposed of prior to May 20, 1939, in such a manner as to leave no wheat available to mature as grain or for harvest as hay.

In no event shall the acreage regarded as planted to wheat on any farm be less than the acreage used in computing the final total insured production for adjusting losses with respect to crop insurance.

3. Section 2, d, (3), Item (m), is amended to read as follows:

- (m) Wheat matured as grain on a non-wheat-allotment farm, except when credit is earned by the use of such crop for soil-building practice (3) Section 6, a. Wheat harvested for hay on a non-wheat-allotment farm, except (1) when grown in a mixture containing at least 25 percent by weight of winter legumes, or (2) when cut green for hay and used as a nurse crop for legumes or perennial grasses of which a good stand is established in 1939.
 - (i) In cases where a good stand of approved legumes or grasses is not on the farm at the time of checking the performance, a good stand will be considered as having been established if the county committee finds that such legumes or grasses were seeded in a workmanlike manner, and
 - (aa) failure to secure and maintain a good stand was due to flood or drought conditions which prevented the establishment of a good stand on farms generally in the community, or
 - (bb) failure to have a good stand was due to grasshoppers or other insects and the farm operator has made every reasonable effort to prevent damage by such insects, including in any event cooperation in the insect control program of the Bureau of Entomology and Plant Quarantine in any area in which such programs are in effect.
 - (ii) In cases where a good stand of legumes or perennial grasses is actually established in 1939 but the legume or grass is plowed under before October 1, 1939, a good stand will not be considered as having been established and the acreage will be classified as soil-depleting. If a good stand of such legumes or grasses is not actually established and the acreage is plowed before October 1, 1939,

the acreage will be classified as soil-depleting unless the county committee determines that under (i) a good stand should be considered as having been established and that plowing the acreage was a good farming practice.

4. Section 2, d, (3), Item (n), is amended to read as follows:

- (n) Oats, barley, rye, emmer, speltz, mixtures of these crops or wheat mixtures matured as grain, except when credit is earned by the use of such crop for soil-building practice (3) Section 6, a. Oats, barley, rye, emmer, speltz, mixtures of these crops or wheat mixtures harvested for hay except (1) when grown in mixtures containing at least 25 percent by weight of winter legumes or (2) when cut green for hay and used as a nurse crop for legumes or perennial grasses of which a good stand is established in 1939.
 - (i) In cases where a good stand of approved legumes or grasses is not on the farm at the time of checking the performance, a good stand will be considered as having been established if the county committee finds that such legumes or grasses were seeded in a workmanlike manner, and
 - (aa) failure to secure and maintain a good stand was due to flood or drought conditions which prevented the establishment of a good stand on farms generally in the community, or
 - (bb) failure to have a good stand was due to grasshoppers or other insects and the farm operator has made every reasonable effort to prevent damage by such insects, including in any event cooperation in the insect control program of the Bureau of Entomology and Plant Quarantine in any area in which such programs are in effect.
 - (ii) In cases where a good stand of legumes or perennial grasses is actually established in 1939 but the legume or grass is plowed under before October 1, 1939, a good stand will not be considered as having been established and the acreage will be classified as soil-depleting. If a good stand of such legumes or grasses is not actually established and the acreage is plowed before October

1, 1939, the acreage will be classified as soil-depleting unless the county committee determines that under (i) a good stand should be considered as having been established and that plowing the acreage was a good farming practice.

5. Section 2, c, is amended by adding the following new item:

(8) Idle farm means any farm which the county committee determines to be idle in 1939 in accordance with the usual meaning of the term in the community. The county committee shall regard as idle any farm on which normal cropping operations are not carried out during the 1939 crop year. Normal cropping operations will not be deemed to be carried out on a farm in 1939 if the sum of the following acreages is less than one-half of the acreage in the total soil-depleting acreage allotment; (1) the acreage upon which a crop is seeded for harvest in 1939; (2) the acreage of volunteer crops harvested in 1939; (3) the acreage summer fallowed in 1939; (4) the acreage seeded or devoted to tame grasses or legumes in 1939, excluding seedings in the fall of 1939; and (5) the acreage seeded to small grains to be pastured in 1939 (other than small grains seeded in the fall of 1939). However, a farm upon which normal cropping operations were not carried out will not be regarded as idle if the State committee determines that the failure to carry out normal cropping operations was beyond the control of the farmer.

6. Section 6, a, Item (7), is amended by deleting the words "2-1/2 tons blast furnace slag" in the second from the last line and inserting in their place the words, "2750 pounds blast furnace slag."
7. Section 6, b, Item (3) is amended by deleting the phrase "November 1, 1939" in both places where it occurs and inserting in lieu thereof the phrase "October 1, 1939."
8. Section 7, a, Item (2), is amended to read as follows:
- (2) 3 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn allotment.

9. Section 7, b, Item (2), is amended to read as follows:

- (2) 6 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat allotment.

10. Section 8, c, Item (2), is amended to read as follows:

(2) Non-General-Allotment Farms

- (a) \$8.00 per acre adjusted for productivity for each acre classified as soil-depleting in excess of the sum of (1) twenty acres, and (2) the acreage on which corn and wheat deductions are computed.

11. Section 9, Paragraph a, is amended to read as follows:

a. Payments and deductions on acreage allotments. -

The net payment or net deduction computed for any farm in connection with general crops or any crop for which a special allotment is established will be divided among the landlords and tenants in the proportion that they are entitled as of the time of harvest to share in such crops on the farm in 1939. Any person who receives a portion of a crop as a fixed commodity payment will not be regarded as receiving a share of the crop.

If any crop for which payment is computed is not grown on the farm in 1939 or the acreage of the crop is substantially reduced by flood, hail, drought, insects or plant bed diseases, the net payment or net deduction for the crop will be divided among the landlords and tenants if the county committee determines that such persons would have shared in the crop if the entire allotment had been planted and harvested in 1939. In cases where two or more separately owned tracts of land comprise a farm and Section II of the Combination Farm Share Agreement, Form ACP-95, is executed and the form is signed by all persons who are entitled to receive a share of the crops, the share of each person in the net payment or net deduction for the crops will be that indicated on Form ACP-95.

12. Section 15 is amended by adding at the end thereof the following new subsection d:

- d. Time within which to file form NCR-303 and similar forms -- no inspection of any farm will be made for the purpose of determining the extent of performance under the 1939 Boone County Agricultural Conservation Program unless there is received on or before May 1, 1939, by the Boone County Committee, either (1) a Farm Plan for Participation, NCR-303 for the farm, duly executed by a person eligible to make application for payment with respect to such farm; or (2) a letter from the landlord or operator of such farm indicating that he is participating in the 1939 Boone County Agricultural Conservation Program and requesting an inspection of his farms in the county.

(SEAL)

DONE at Washington, D. C., this
30th day of June, 1939.
Witness my hand and seal of the
Department of Agriculture.

/s/ H. A. Wallace
Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL ADJUSTMENT ADMINISTRATION

NORTH CENTRAL DIVISION

1939 AGRICULTURAL CONSERVATION PROGRAM
NORTH CENTRAL REGION

COTTON

Provisions Applicable Only to Cotton

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The provisions in this bulletin are part of the provisions of 1939 Agricultural Conservation Program, North Central Region, and are to be used with the bulletin NCR-301 for the program.

SEC. 1. DEFINITIONS

(27) **Acreage planted to cotton** means the acreage of land seeded to cotton, the staple of which is normally less than $1\frac{1}{2}$ inches in length, which reaches a stage of growth at which bolls are first formed, and means also for purposes of section 8 any acreage seeded to cotton, the staple of which is normally less than $1\frac{1}{2}$ inches in length, which because of flood, hail, drought, or insects, fails to reach the stage of growth at which bolls are first formed.

SEC. 2. STATE ALLOTMENTS

The State cotton acreage allotments for the 1939 program are:

- | | |
|-------------------|---------------|
| (1) Illinois..... | 5,000 acres |
| (2) Missouri..... | 289,119 acres |

SEC. 3. COUNTY ALLOTMENTS

a. County allotments for cotton are determined as follows: The State acreage allotment of cotton (less 2 percent for use in making allotments to new cotton farms) is prorated among the counties in the State on the basis of the acreage planted to cotton plus the acreage diverted from cotton under agricultural adjustment and conserva-

tion programs during 1933 to 1937, inclusive. There will be added to the acreage allotment for each county so determined the number of acres, if any, required to provide an acreage allotment in the county of not less than 60 percent of the acreage planted to cotton in the county in 1937 plus 60 percent of the acreage diverted from cotton in the county under the 1937 program.

b. The county allotment is apportioned pro rata on the basis of the planted plus diverted cotton acreage in 1937, among administrative areas which, because of differences in types, kinds, and productivity of the soil or other conditions, should be treated separately in order to prevent discrimination.

SEC. 4. FARM ALLOTMENTS

a. County cotton allotments will be apportioned among the farms in the county on which cotton was planted in any one of the years 1936, 1937, and 1938, in a manner that will result in a cotton allotment for each farm in the county or administrative area which is the same percentage of the land in each farm in 1938 which was tilled annually or in regular rotation exclusive of the acres of such land normally devoted to the production of wheat or rice for market or for feeding to livestock for market, or tobacco for market, except that:

(1) For any farm on which the highest planted plus diverted cotton acreage in any one of the three years 1936, 1937, and 1938, is less than 5 acres the cotton allotment for the farm will be the highest number of such planted plus diverted acres.

(2) For any farm on which the highest number of planted plus diverted cotton acres in any one of the three years 1936, 1937, and 1938 is 5 acres or more, the allotment for the farm will not be less than 5 acres.

(3) Notwithstanding the foregoing provisions of this paragraph a, a number of acres equal to not more than 3 percent of the county allotment in excess of the allotments allocated under (1) and (2) may be apportioned among farms in the county on which cotton was planted in 1936, 1937, or 1938, and for which the allotment otherwise provided is 5 acres or more, but less than 15 acres and less than the highest number of acres planted to cotton and diverted from the production of cotton in any one of the years 1936, 1937, and 1938. In making this apportionment, consideration will be given to the land, labor, and equipment available for the production of cotton, crop-rotation practices, and the soil and other facilities affecting the production of cotton, and any increases may not increase the allotment to any farm above 15 acres.

In no event will the allotment for any farm exceed the highest number of acres planted to cotton and diverted from the production of cotton in any one of the three years 1936, 1937, and 1938.

b. In case the county allotment is insufficient to provide allotments to farms in the county which are adequate and representative in view of their past production of cotton and their tilled land, there will be apportioned to such farms such part of a State reserve as is necessary to give such farms allotments in conformity with para-

graph *a*. Such State reserve will be equal to 4 percent of the State allotment. It will be used first to increase allotments to farms under subdivisions (1) and (2) of paragraph *a*.

c. If allotments for other farms, made in accordance with paragraph *a* above, are substantially smaller than the allotments which would have been made without regard to the provisions of subdivisions (1) and (2) of paragraph *a* above, the allotments for such farms will be increased to the acreage which would have resulted in the absence of such provisions.

d. After allotments have been made from the 4 percent reserve as provided in paragraphs *b* and *c* above, one-half of the remainder of the 4 percent reserve will be apportioned to farms for which the allotment otherwise determined is less than 50 percent of planted plus diverted cotton acreage in 1937. The other half of the remainder of the 4 percent reserve will be available for increasing the allotments for any farms which are determined to be inadequate and not representative in view of past production on the farm. However, the cotton acreage allotment for any farm will not be increased under this paragraph *d* above the highest number of acres planted to cotton and diverted from cotton under agricultural conservation programs in any one of the three years 1936, 1937, and 1938 nor above 40 percent of the acreage on such farms which is tilled annually or in regular rotation.

e. Notwithstanding the provisions of any previous paragraphs of this section, the allotment for any farm will be increased by such amount as may be necessary to provide an allotment of not less than 50 percent of planted plus diverted cotton acreage in 1937, but the allotment for any farm will not be increased under this paragraph to more than 40 percent of the acreage on the farm which is tilled annually or in regular rotation.

f. Not more than 2 percent of the State allotment will be apportioned to farms in the State on which cotton will be planted in 1939 but on which cotton was not planted in any of the years 1936, 1937, and 1938, so as to result in comparable allotments to farms similar with respect to land, labor, and equipment available for the production of cotton, crop rotation practices, and the soil and other physical facilities affecting the production of cotton.

SEC. 5. NORMAL YIELDS

a. When reliable records of the actual average yield of cotton per acre for the years 1934 to 1938, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm will be the average of such yields adjusted for abnormal weather conditions.

b. If for any year of such 5-year period records of the actual average yield are not available or there was no actual yield because cotton was not planted on the farm in such year, the normal yield for the farm will be the yield which, on the basis of all available information, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 5-year period.

c. The yields determined under paragraph *b* of this section will be adjusted so that the average of the normal yields determined for all farms in the county or administrative area will conform to the county or administrative area weighted average yield.

SEC. 6. SOIL-DEPLETING CROPS AND LAND USES

Cotton which reaches the stage of growth at which bolls are first formed will be considered soil depleting.

SEC. 8. PAYMENT FOR FULL PERFORMANCE

Payment will be made for not exceeding the cotton allotment at the rate of 2 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton allotment, or, if the acreage planted to cotton is less than 80 percent of the cotton allotment, payment will be computed on the normal yield of an acreage equal to 125 percent of the acreage planted to cotton unless the county committee finds that failure to plant 80 percent of such cotton allotment was due to flood or drought.

SEC. 9. PAYMENTS FOR PARTIAL PERFORMANCE

Payments computed for any farm will be subject to a deduction at the rate of 4 cents per pound of the normal yield for the farm for each acre unknowingly planted to cotton in excess of the cotton allotment established for the farm.

SEC. 16. EXCESS COTTON ACREAGE

Any person who knowingly plants cotton on his farm in 1939 in excess of the cotton allotment established for the farm will not be eligible for any payment under the provisions of the 1939 program. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1939 in excess of the cotton allotment for the farm will be presumed to have knowingly planted cotton on his farm in excess of the cotton allotment if notice of the allotment is mailed to him prior to the completion of the planting of cotton on the farm, unless he established the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. The notice, if mailed to the operator of the farm, will be deemed to be notice to all persons sharing in the production of cotton on the farm in 1939.

No person applying for payment on any farm located in a county in which cotton is planted in 1939 will be eligible for any payment under the 1939 program unless he files with his application a statement that he has not knowingly planted or caused to be planted during 1939 cotton on land in any farm in which he has an interest in excess of the cotton allotment established for the farm, and that cotton was not planted in excess of the allotment by his authority or with his consent.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
NORTH CENTRAL DIVISION

**1939 AGRICULTURAL CONSERVATION PROGRAM
NORTH CENTRAL REGION**

COTTON

Provisions Applicable Only to Cotton

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The provisions in this bulletin are part of the provisions of 1939 Agricultural Conservation Program, North Central Region, and are to be used with the bulletin NCR-301, Revised, for the program.

SEC. 1. DEFINITIONS

(27) **Acreage planted to cotton** means the acreage of land seeded to cotton, the staple of which is normally less than 1½ inches in length, which reaches a stage of growth at which bolls are first formed.

SEC. 2. STATE ALLOTMENTS

The State cotton acreage allotments for the 1939 program are:

- | | |
|--------------------|---------------|
| (1) Illinois | 5,000 acres |
| (2) Missouri | 289,119 acres |

SEC. 3. COUNTY ALLOTMENTS

a. County allotments for cotton are determined as follows: The State acreage allotment of cotton (less 2 percent for use in making allotments to new cotton farms) is prorated among the counties in the State on the basis of the acreage planted to cotton plus the acreage diverted from cotton under agricultural adjustment and conservation programs during 1933 to 1937, inclusive. There will be added

to the acreage allotment for each county so determined the number of acres, if any, required to provide an acreage allotment in the county of not less than 60 percent of the acreage planted to cotton in the county in 1937 plus 60 percent of the acreage diverted from cotton in the county under the 1937 program.

b. The county allotment is apportioned pro rata on the basis of the planted plus diverted cotton acreage in 1937, among administrative areas which, because of differences in types, kinds, and productivity of the soil or other conditions, should be treated separately in order to prevent discrimination.

SEC. 4. FARM ALLOTMENTS

a. County cotton allotments will be apportioned among the farms in the county on which cotton was planted in any one of the years 1936, 1937, and 1938, in a manner that will result in a cotton allotment for each farm in the county or administrative area which is the same percentage of the land in each farm in 1938 which was tilled annually or in regular rotation exclusive of the acres of such land normally devoted to the production of wheat or rice for market or for feeding to livestock for market, or tobacco for market, except that:

(1) For any farm on which the highest planted plus diverted cotton acreage in any one of the three years 1936, 1937, and 1938, is less than 5 acres the cotton allotment for the farm will be the highest number of such planted plus diverted acres.

(2) For any farm on which the highest number of planted plus diverted cotton acres in any one of the three years 1936, 1937, and 1938 is 5 acres or more, the allotment for the farm will not be less than 5 acres.

(3) Notwithstanding the foregoing provisions of this paragraph a, a number of acres equal to not more than 3 percent of the county allotment in excess of the allotments allocated under (1) and (2) may be apportioned among farms in the county on which cotton was planted in 1936, 1937, or 1938, and for which the allotment otherwise provided is 5 acres or more, but less than 15 acres and less than the highest number of acres planted to cotton and diverted from the production of cotton in any one of the years 1936, 1937, and 1938. In making this apportionment, consideration will be given to the land, labor, and equipment available for the production of cotton, crop-rotation practices, and the soil and other facilities affecting the production of cotton, and any increases may not increase the allotment to any farm above 15 acres.

In no event will the allotment for any farm exceed the highest number of acres planted to cotton and diverted from the production of cotton in any one of the three years 1936, 1937, and 1938.

b. In case the county allotment is insufficient to provide allotments to farms in the county which are adequate and representative in view of their past production of cotton and their tilled land, there will be apportioned to such farms such part of a State reserve as is necessary to give such farms allotments in conformity with para-

graph *a*. Such State reserve will be equal to 4 percent of the State allotment. It will be used first to increase allotments to farms under subdivisions (1) and (2) of paragraph *a*.

c. If allotments for other farms, made in accordance with paragraph *a* above, are substantially smaller than the allotments which would have been made without regard to the provisions of subdivisions (1) and (2) of paragraph *a* above, the allotments for such farms will be increased to the acreage which would have resulted in the absence of such provisions.

d. After allotments have been made from the 4 percent reserve as provided in paragraphs *b* and *c* above, one-half of the remainder of the 4 percent reserve will be apportioned to farms for which the allotment otherwise determined is less than 50 percent of planted plus diverted cotton acreage in 1937. The other half of the remainder of the 4 percent reserve will be available for increasing the allotments for any farms which are determined to be inadequate and not representative in view of past production on the farm. However, the cotton acreage allotment for any farm will not be increased under this paragraph *d* above the highest number of acres planted to cotton and diverted from cotton under agricultural conservation programs in any one of the three years 1936, 1937, and 1938 nor above 40 percent of the acreage on such farms which is tilled annually or in regular rotation.

e. Notwithstanding the provisions of any previous paragraphs of this section, the allotment for any farm will be increased by such amount as may be necessary to provide an allotment of not less than 50 percent of planted plus diverted cotton acreage in 1937, but the allotment for any farm will not be increased under this paragraph to more than 40 percent of the acreage on the farm which is tilled annually or in regular rotation.

f. Not more than 2 percent of the State allotment will be apportioned to farms in the State on which cotton will be planted in 1939 but on which cotton was not planted in any of the years 1936, 1937, and 1938, so as to result in comparable allotments to farms similar with respect to land, labor, and equipment available for the production of cotton, crop rotation practices, and the soil and other physical facilities affecting the production of cotton.

SEC. 5. NORMAL YIELDS

a. When reliable records of the actual average yield of cotton per acre for the years 1934 to 1938, inclusive, are presented by the farmer or are available to the committee, the normal yield for the farm will be the average of such yields adjusted for abnormal weather conditions.

b. If for any year of such 5-year period records of the actual average yield are not available or there was no actual yield because cotton was not planted on the farm in such years, the normal yield for the farm will be the yield which, on the basis of all available information, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such 5-year period.

c. The yields determined under paragraph b of this section will be adjusted so that the average of the normal yields determined for all farms in the county or administrative area will conform to the county or administrative area weighted average yield.

SEC. 6. SOIL-DEPLETING CROPS AND LAND USES

Cotton which reaches the stage of growth at which bolls are first formed will be considered soil-depleting.

SEC. 8. PAYMENT FOR FULL PERFORMANCE

Payment will be made for not exceeding the cotton allotment at the rate of 2 cents per pound of the normal yield per acre of cotton for the farm for each acre in the cotton allotment.

SEC. 9. PAYMENTS FOR PARTIAL PERFORMANCE

Payments computed for any farm will be subject to a deduction at the rate of 4 cents per pound of the normal yield for the farm for each acre unknowingly planted to cotton in excess of the cotton allotment established for the farm.

SEC. 16. EXCESS COTTON ACREAGE

Any person who knowingly plants cotton on his farm in 1939 in excess of the cotton allotment established for the farm will not be eligible for any payment under the provisions of the 1939 program. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1939 in excess of the cotton allotment for the farm will be presumed to have knowingly planted cotton on his farm in excess of the cotton allotment if notice of the allotment is mailed to him prior to the completion of the planting of cotton on the farm, unless he established the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. The notice, if mailed to the operator of the farm, will be deemed to be notice to all persons sharing in the production of cotton on the farm in 1939.

No person applying for payment on any farm located in a county in which cotton is planted in 1939 will be eligible for any payment under the 1939 program unless he files with his application a statement that he has not knowingly planted or caused to be planted during 1939 cotton on land in any farm in which he has an interest in excess of the cotton allotment established for the farm, and that cotton was not planted in excess of the allotment by his authority or with his consent.

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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Washington, D. C.

1939 AGRICULTURAL CONSERVATION PROGRAM
LICKING COUNTY, OHIO

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AUTHORITY, AVAILABILITY OF FUNDS,
AND APPLICABILITY.

Pursuant to the authority vested in the Secretary of Agriculture under Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act (49 Stat. 1148), as amended, and in connection with the effectuation of the purposes of Section 7(a) of said Act in 1939, payments and grants of aid will be made in Licking County, Ohio, for participation in the 1939 Licking County Agricultural Conservation Program (hereinafter referred to as the 1939 Licking County Program) in accordance with the provisions hereof and such modifications thereof or other provisions as may hereafter be made.

The provisions of the 1939 Licking County Program are necessarily subject to such legislation affecting said program as the Congress of the United States may hereafter enact; the making of the payments and grants of aid herein provided are contingent upon such appropriation as the Congress may hereafter provide for such purposes; and the amount of such payments and grants of aid will necessarily be within the limits finally determined by such appropriation. The rates of payments specified herein are subject to an increase or decrease of not more than 10 percent, depending upon the extent of participation in the program and the final estimate of payments which would be made in Licking County under the 1939 Agricultural Conservation Program.

The provisions of the 1939 Licking County Program contained in this bulletin are not applicable to (1) counties other than Licking County, Ohio, and (2) public domain of the United States, including land owned by the United States and administered by the Forest Service of the United States Department of Agriculture, or other lands in which the beneficial ownership is in the United States.

Section I. DEFINITIONS.

For the purpose of the 1939 Licking County Program, unless the context otherwise requires:

1. SECRETARY means the Secretary of Agriculture of the United States.
2. DIRECTOR OF THE NORTH CENTRAL DIVISION means the director of the division of the Agricultural Adjustment Administration in charge of the 1939 Agricultural Conservation Program in the North Central Region.
3. NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

4. STATE COMMITTEE means the group of persons designated in Ohio to assist in the administration of the 1939 Agricultural Conservation Program in Ohio.

5. COUNTY COMMITTEE means the group of persons elected in Licking County to assist in the administration of the 1939 Agricultural Conservation Program in that county.

6. COUNTY means the political or civil division of a State designated as a county.

7. PERSON means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

8. LANDLORD means a person who owns land and rents such land to another person or operates such land.

9. TENANT means a person who rents land from another person (for cash, a fixed commodity payment, or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the proceeds of the crops produced thereon.

10. FARM means all adjacent or nearby farm land under the same ownership whether operated by one person or field-rented in whole or in part to one or more persons and constituting a unit with respect to the rotation of crops.

If the operator and all the owners entitled to share in the crops request and agree, a farm may include any adjacent or nearby farm land operated by the same person as part of the same unit in the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land if the county committee determines that:

- a. There is one crop rotation system on the entire area of land;
- b. The yields and productivity of the differently-owned tracts do not vary substantially;
- c. The combination is not being made for the purpose of increasing acreage allotments or primarily for the purpose of effecting performance; and
- d. The differently-owned tracts customarily are, and in 1939 will be, regarded in the community as a farm.

A farm is regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it is regarded as located in the county in which the major portion of the farm is located.

11. CROPLAND means:

- a. For 1938, that acreage which was, or could have been, determined to be cropland under the provisions of the 1938 Agricultural Conservation Program for Licking County, Ohio.
- b. For 1939, farm land which is tilled in 1939, was tilled in 1938, or was in regular rotation, excluding commercial orchards and any land growing a sod-producing crop in 1939, which, if tilled, will constitute an erosion hazard to that farm or to the community.

Land that was not devoted between January 1, 1933, and January 1, 1939, to the production of intertilled crops, small grain crops, or conserving crops seeded in regular rotation, should be considered noncropland unless such land is suitable for the production of soil-depleting crops without clearing, draining, or irrigating; is definitely equal to or superior to the land in the community used for the production of soil-depleting crops with respect to productivity and adaptability to the production of such crops; if tilled, will not become a serious wind or water erosion hazard; and will in the normal course of the crop rotation on the farm be used for the production of soil-depleting crops.

Land that was devoted between January 1, 1933, and January 1, 1939, to the production of crops should be considered noncropland if it is no longer cropped or suitable to the production of soil-depleting crops, by reason of severe erosion, lack of clearing or draining, or discontinuance of irrigation, and is inferior to the land in the farm used for the production of soil-depleting crops, with respect to the productivity and adaptability to the production of such crops.

12. COMMERCIAL ORCHARDS means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, or bush fruits on the farm on January 1, 1939 (excluding nonbearing orchards and vineyards), from which the principal part of the production is normally sold.

13. OPEN NONCROPLAND PASTURE means any farm land not cropland on which the predominant growth is forage characteristic of grazing lands, provided this land is essentially free of brush, briars, stumps, and trees. Any acreage of noncropland pasture occupied to such an extent by stumps, trees, or other objects as to materially interfere with the application of liming or fertilizing materials or with the taking of measurement shall not qualify as open noncropland pasture. The term "open noncropland pasture" shall include any noncropland used for the production of wild hay.

14. WINTER COVER CROP means (a) any biennial or perennial legume or grass or stubble of any of these crops, or (b) any small grain which will live through or into the winter, provided there is good and sufficient cover to protect the soil from wind and water erosion and leaching.

15. **PRODUCTIVITY FACTOR** is that rating given each crop, land use, or unit of land treatment denoting the relative degree to which that crop, land use, or unit of land treatment degrades or restores the soil. Restorative crops, land uses, or land treatments are denoted by positive factors, and the degrading is shown by negative factors.

16. **PRODUCTIVITY BALANCE VALUE** is that rating given each farm on the basis of the combined productivity factors for each crop, land use, or unit of land treatment on cropland, combined with the erosion factor on that cropland, denoting the degree to which the cropland on that farm is being degraded, maintained, or improved. A farm with a negative productivity balance value is assumed to be in a relative state of cropland deterioration, while a farm with a positive productivity balance value is assumed to be in a relative state of cropland improvement, and the size of the balance value denotes the relative rate of deterioration or improvement.

17. **EROSION FACTOR** is that rating given each field and each farm on the basis of the average slope shown by the cropland on that farm, for the purpose of indicating the degree to which the cropland on such farm is subject to erosion.

Section II. CLASSIFICATION OF LAND USE OR TREATMENT WITH ASSOCIATED PRODUCTIVITY FACTORS.

The acreage of cropland upon a farm in 1938 and in 1939 shall be classified according to its use or treatment in such year and shall receive appropriate productivity factor as follows:

1. Cropland not Planted.

- | | |
|--|------|
| a. Cropland idle and bare during season | -2.0 |
| b. Cropland idle but not bare nor fallowed during season | -0.5 |
| c. Cropland fallowed during season | -2.0 |

2. Cropland Planted to Field Crops for Harvesting Within the Crop Year.

- | | |
|--|------|
| a. Field corn for silage or grain harvested or hogged off | -2.0 |
| b. Winter-grains (wheat, rye) harvested as grain, hay, or pasture, including hogged off | -1.0 |
| c. Spring or summer seeded small grains (oats, barley, flax, buckwheat) harvested as grain, hay or pasture | -0.9 |
| d. Soybeans or cowpeas harvested as seed or hay | -0.5 |

e.	Sudan grass harvested as hay or pasture	-1.5
f.	Millet harvested as hay or pasture	-1.5
g.	Sorghums for harvesting	-2.0
h.	Rape for pasture	-1.0
i.	Cropland planted to a crop for harvesting within the crop year, not fall plowed but bare of sod or of winter cover crop as of October 31, 1939. (This factor to be applied in addition to any other factor applicable to such cropland).	-0.5

3. Cropland on which is Growing a Good Stand of Hay or Pasture Plants.

For a land use to be classified as producing one of the crops listed in this subsection 3, at least 75 percent of the stand must be of that particular crop.

a.	Alfalfa, stand in year of seeding	+1.5
b.	Alfalfa, 2nd year stand	+1.0
c.	Alfalfa, 3rd year stand	+0.5
d.	Alfalfa, 4th year, and more, stand	0.0
e.	Sweet clover (biennial) year of seeding	+1.5
f.	Sweet clover, 2nd year of growth, pastured or cut for hay	+1.0
f.	Sweet clover, 2nd year of growth, not pastured or cut for hay	+1.5
h.	Clovers, (red, mammoth, alsike) year of seeding	+1.0
i.	Clovers, (red, alsike, mammoth) 2nd year of growth, pastured or cut for hay	+1.0
j.	Clovers, (red, alsike, mammoth) 2nd year of growth, not pastured or cut for hay	+1.5
k.	Alfalfa-grass mixtures, year of seeding	+1.5
l.	Alfalfa-grass mixtures, 2nd year of growth	+0.5

m.	Alfalfa-grass mixtures, 3rd year of growth	+0.5
n.	Alfalfa-grass mixtures, 4th year of growth	0.0
o.	Clover-grass mixtures, year of seeding	+0.5
p.	Clover-grass mixtures, 2nd year of growth	+0.5
q.	Timothy, orchard grass, or mixtures regardless of year of seeding	0.0
r.	Bluegrass and other permanent pasture grasses	0.0
s.	Lespedeza, cut for hay or pastured	+0.5
t.	Lespedeza, not cut for hay or pastured	+1.0

Any of these crops grown from unadapted seed planted between November 1, 1938, and October 31, 1939, shall receive a productivity factor of 0.0

4. Cropland into Which is Incorporated a Green Manure or a Residue Crop.

a.	Sweet clover, 2nd year of growth, not pastured, plowed under green prior to June 1	+1.0
b.	Sweet clover, 2nd year of growth, not pastured nor cut for hay or seed, plowed under after June 1	+2.0
c.	Alfalfa, 2nd or more years of growth, not pastured and plowed under green prior to June 1	+1.0
d.	Alfalfa, 2nd or later years of growth, not pastured nor cut for hay or seed, plowed under green after June 1	+2.0
e.	Clovers (red, alsike, mammoth), 2nd year of growth, not pastured and plowed under green prior to June 1	+0.75
f.	Clovers (red, alsike, mammoth), 2nd year of growth, not pastured nor cut for hay or seed, plowed under after June 1	+1.75
g.	Soybeans, cowpeas, or vetch, entire plant plowed under in bloom stage	+1.5
h.	Rye, wheat, or buckwheat not pastured, plowed under green with at least sixty days of growth	+0.5

i.	Sweet corn, entire stalk and leaves plowed under green after removal of ears (this factor in addition to that indicated under subsection 5, this Section II)	+0.5
j.	Field corn, drilled solid and entire plant plowed under green in tassel stage	+1.5
5.	<u>Cropland Planted to Vegetables and Special Crops for Harvesting within the Crop Year.</u>	
a.	Popcorn for harvesting	-1.5
b.	Sweet corn harvested for market or canning	-1.5
c.	Sweet corn for other uses	-2.0
d.	Tomatoes for harvesting	-2.0
e.	Irish potatoes for harvesting	-2.0
f.	Sweet potatoes for harvesting	-2.0
g.	Onions for harvesting	-2.0
h.	Melons for harvesting	-2.0
i.	Pumpkins for harvesting	-2.0
j.	Cucumbers for harvesting	-2.0
k.	Cabbage for harvesting	-1.5
l.	Canning peas for harvesting	-0.5
m.	Field peas for harvesting	-0.5
n.	Field beans for harvesting	-0.5
o.	Turnips for harvesting	-2.0
6.	<u>Cropland Occupied by Fruit or Forest Tree Plantings.</u>	
a.	Noncommercial Orchards (entire acreages) (Orchards interplanted, in addition to this factor shall receive the factor assigned to the interplanted crop for the acreage of such interplanted crop)	-2.5
b.	Cane and Bush Fruits	-2.0
c.	Rhubarb	-1.0

- d. Asparagus -1.0
- e. Forest Trees and Windbreaks 0.0

7. Commercial Fertilizer Applied to Cropland*.

- a. For each 100 lbs. of single strength commercial fertilizer +0.07
- b. For each 100 lbs. of 1-1/2 strength commercial fertilizer +0.11
- c. For each 100 lbs. of double strength commercial fertilizer +0.15
- d. For each 100 lbs. of other commercial fertilizer credit in accordance with its proportional strength based on the officially registered, guaranteed analysis.

*Note - 20 units of plant nutrients constitute a single strength fertilizer. Example: 2-12-6, 2-16-2, 0-14-6, 0-20-0.

No credit will be given for the application of any fertilizer not guaranteed by the manufacturer and registered with the Ohio State Department of Agriculture in conformity with the Ohio State Fertilizer Control Law. For application upon cropland of fertilizing materials which are furnished to the farmer by any State or Federal agency credit will be given subject to the provisions of subsection 3, Section VI.

8. Limestone Applied to Cropland.

- a. For each 1,000 lbs. of "agricultural ground limestone" possessing a neutralizing power of 90 to 108 +0.25
- b. For each 1,000 lbs. of "agricultural meal" possessing a neutralizing power of 90 to 108 +0.20
- c. For each 1,000 lbs. of "pulverized limestone" possessing a neutralizing power of 90 to 108 +0.30
- d. For each 1,000 lbs. of "hydrated lime" possessing a neutralizing power of 120 to 154 +0.40

- e. For each 1,000 lbs. of "hydrated lime" possessing a neutralizing power of 155 to 175 +0.50
- f. For each 1,000 lbs. of other types of liming materials of certified neutralizing power, credit in proportion to that for 1,000 lbs. of "agricultural ground limestone."

Credit will not be given for the application upon cropland of liming materials unless officially registered and guaranteed in conformity with the provisions of the Ohio Fertilizer Control Law, or unless the neutralizing power has been determined and certified by the Ohio State Soil Testing Laboratory.

For application upon cropland of liming materials which are furnished the farmer by any State or Federal agency credit will be given subject to the provisions of subsection 3, Section VI.

9. Cropland Contour Tilled or Strip Cropped on the Contour.

- a. Cropland on which intertilled crops are tilled on the contour - a positive productivity factor equal to 30 percent of the erosion factor for such cropland.
- b. Cropland strip cropped on the contour with alternate strips of intertilled crops and sown, close-drilled, or sod crops -- a positive productivity factor equal to 60 percent of the erosion factor for such intertilled cropland and a positive productivity factor equal to 30 percent of the erosion factor for other negative value crops.

The factors under a and b of this subsection 9 shall apply only to cropland having a slope greater than 2 percent and not in excess of 24 percent, and the same cropland shall not be eligible to receive more than one of such factors.

Section III. PRODUCTIVITY BALANCE VALUES AND EROSION FACTORS.

The county committee, in accordance with provisions contained herein and instructions issued by the Agricultural Adjustment Administration, shall establish for each 1939 farm:

- 1. A 1938 productivity balance value and a 1939 productivity balance value on the basis of percent of slope, uses and treatments of cropland, and types of crops produced in the respective years.
- 2. An erosion factor for total cropland in the farm on the basis of the slope of the various cropland fields.

Section IV. CROPLAND CONSERVING PAYMENTS.

1. Maintenance Payment. For each farm in Licking County a cropland maintenance payment scale will be established. A maintenance payment will be made on each farm for which the 1939 productivity balance value is in excess of the lower extreme of this scale. The upper extreme of the payment scale on all farms shall be \$0.20. The lower extreme of the payment scale shall be -\$0.90 plus 50 percent of the weighted average erosion factor for all the cropland on that farm. The maintenance payment for each acre of cropland shall be equal to 1.25 cents for each point (0.01) by which the 1939 productivity balance value for that farm is above the lower extreme of the payment scale for that farm up to a limit of the number of such points between the lower and upper extremes of the payment scale for that farm.
2. Building payment. The cropland building payment for each acre of cropland shall be equal to 1.50 cents for each point (0.01) by which the 1939 productivity balance value exceeds the 1938 productivity balance value up to a limit of 40 such points.

To be eligible for cropland conserving payments a farm must be in an active state of cultivation in 1939.

Section V. PASTURE LAND CONSERVING PAYMENTS.

A pasture conserving allowance shall be established for each farm. This allowance shall be the maximum amount which may be earned in 1939 by the carrying out on a farm of any of the pasture conserving practices listed below. The pasture conserving allowance for a farm shall be 50 cents for each acre of open noncropland pasture. Those farms for which this method of calculation results in a pasture conserving allowance of less than \$3.00 shall have an allowance of \$3.00 established for them. The practices and the conditions under which these practices must be performed in order to earn payment are:

1. Fertilizing Materials. The application on open noncropland pasture in 1939 of commercial fertilizing materials which are officially registered and guaranteed in conformity with the provisions of the Ohio State Fertilizer Control Law shall earn payments as follows:
 - a. For each 100 lbs. single strength commercial fertilizer (\$0.50)

(A single strength fertilizer is one for which the summation of the units of plant nutrients equals 20. For example, 2-12-6, 2-16-2, 0-14-6, 0-20-0, etc.)
 - b. For each 100 lbs. of 1-1/2 strength commercial fertilizer (\$0.75)

- c. For each 100 lbs. of double strength commercial fertilizer (\$1.00)
 - d. For each 100 lbs. of other strength commercial fertilizer, payment in proportion to its strength in relation to single strength.
2. Lining Materials. The application on open noncropland pasture between November 1, 1938, and October 31, 1939, of lining materials which are officially registered and guaranteed in conformity with the provisions of the Ohio State Fertilizer Control Law, or such other lining materials for which the neutralizing power has been determined and certified by the State soil testing laboratory shall earn payments as follows:
- a. For each ton of "agricultural ground limestone" possessing a neutralizing power of 90 to 108 (\$1.50)
 - b. For each ton of "agricultural meal" possessing a neutralizing power of 90 to 108 (\$1.00)
 - c. For each ton of "pulverized limestone" possessing a neutralizing power of 90 to 108 (\$1.80)
 - d. For each ton of "hydrated lime" possessing a neutralizing power of 120 to 154 (\$2.70)
 - e. For each ton of "hydrated lime" possessing a neutralizing power of 155 to 175 (\$3.00)
 - f. For each ton of other lining materials of certified neutralizing power, payment in proportion to that for one ton of "agricultural ground limestone".

To be eligible for pasture land conserving payments, practices listed herein must be carried out by such methods as conform to good farm practice. Proof of performance for any practice shall consist of satisfactory evidence that the practice was completed in accordance with conditions specified. Pasture land conserving payments for any practice herein set forth will be subject to the qualifications indicated in subsection 3, Section VI.

Section VI. SOIL-CONSERVING PAYMENTS FOR TREE PLANTING.

Each farm in Licking County shall be eligible for payment in 1939 for the planting between November 1, 1938, and October 31, 1939, of forest trees or windbreaks on farm land at the rate of \$10.00 per acre, up to an acreage limit equivalent to 5 percent of the total farm acreage, provided these plantings are made with acceptable species, classes of stock,

rates of planting, and are properly protected. Payments for tree planting shall be subject to the following qualifications:

1. That in the case of forest tree plantings there is, on the date as of which final inspection is made for the purpose of determining performance on the farm, a stand of at least 650 living trees per acre; or if due to uncontrollable natural causes a stand of 650 living trees per acre is not obtained on the date as of which final inspection is made for the purpose of determining performance on the farm, there is satisfactory evidence that such trees were planted in accordance with good tree culture and that such trees have been properly protected.
2. That in the case of windbreak, or shelterbelt plantings, there is on the date as of which final inspection is made for the purpose of determining performance on the farm, a stand of at least 300 living trees per acre, or if due to uncontrollable natural causes a stand of 300 living trees is not obtained on the date as of which final inspection is made for the purpose of determining performance on the farm, there is satisfactory evidence that such trees were planted in accordance with good tree culture practice and that such trees have been properly protected.
3. Practices carried out with labor, seed, trees, and materials furnished entirely by any Federal or State agency, other than the Agricultural Adjustment Administration, shall not be counted as a practice eligible for payment under this section. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency, and such portion represents one-half or more of the total cost of carrying out such practice, such practice shall not be counted as a practice eligible for payment under this section; if such portion represents less than half of the total cost of carrying out such practice, one-half of such practice shall be counted as a practice eligible for payment under this section; Provided, that labor, seed, trees, and materials furnished to a State, a political subdivision of a State, or any agency thereof by any agency of the same State shall not be deemed to be furnished by "any State...agency" within the meaning of this paragraph. If trees are purchased from a Clark-McNary Cooperative State Nursery, such purchases shall not be deemed to be paid for in whole or in part by a State or Federal agency.

Section VII. DIVISION OF PAYMENTS.

The share of any person in any payments computed with respect to any farm in Licking County, subject to the provisions of Sections IX, X, and XI, shall be determined in accordance with the methods specified in this Section VII.

1. Cropland Conserving Payments. The payment computed for any farm with respect to cropland conserving payments shall be divided among the landlords and tenants in the same proportion (as indicated by their acreage shares expressed in terms of either proportionate acreages or percentages) that such persons are entitled, at the time the crops are harvested, to share in the proceeds (other than a fixed commodity payment) of the crops grown on the farm in 1939.
2. Conserving Payments for Pasture Land and for Tree Planting. The amount of payment earned under Section V and Section VI shall be paid to the landlord or tenant who carried out the practices to earn these payments. If the county committee determines that more than one such person contributed to the carrying out of one or more of such practices on the farm in 1939, such payment shall be divided in the proportion that the quantity of practices contributed by each such person bears to the total quantity of practices carried out on the farm in 1939. Each person contributing to the practices carried out on a particular acreage shall be deemed to have contributed equally to such practices, unless such persons establish to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event credit for such practices shall be divided in the proportion which the county committee determines each such person contributed thereto.

Section VIII. INCREASE IN SMALL PAYMENTS.

The total payment, computed under Sections IV to VII, inclusive, for any person with respect to any farm shall be increased as follows:

1. Any payment amounting to 71 cents or less shall be increased to \$1.00;
2. Any payment amounting to more than 71 cents but less than \$1.00 shall be increased by 40 percent;
3. Any payment amounting to \$1.00 or more shall be increased in accordance with the following schedule:

Amount of pay- ment computed	Increase in payment	Amount of pay- ment computed	Increase in payment
\$1.00 to 1.99	\$0.40	\$32.00 to 32.99	\$10.40
2.00 to 2.99	0.80	33.00 to 33.99	10.60
3.00 to 3.99	1.20	34.00 to 34.99	10.80
4.00 to 4.99	1.60	35.00 to 35.99	11.00
5.00 to 5.99	2.00	36.00 to 36.99	11.20
6.00 to 6.99	2.40	37.00 to 37.99	11.40
7.00 to 7.99	2.80	38.00 to 38.99	11.60
8.00 to 8.99	3.20	39.00 to 39.99	11.80
9.00 to 9.99	3.60	40.00 to 40.99	12.00
10.00 to 10.99	4.00	41.00 to 41.99	12.10
11.00 to 11.99	4.40	42.00 to 42.99	12.20
12.00 to 12.99	4.80	43.00 to 43.99	12.30
13.00 to 13.99	5.20	44.00 to 44.99	12.40
14.00 to 14.99	5.60	45.00 to 45.99	12.50
15.00 to 15.99	6.00	46.00 to 46.99	12.60
16.00 to 16.99	6.40	47.00 to 47.99	12.70
17.00 to 17.99	6.80	48.00 to 48.99	12.80
18.00 to 18.99	7.20	49.00 to 49.99	12.90
19.00 to 19.99	7.60	50.00 to 50.99	13.00
20.00 to 20.99	8.00	51.00 to 51.99	13.10
21.00 to 21.99	8.20	52.00 to 52.99	13.20
22.00 to 22.99	8.40	53.00 to 53.99	13.30
23.00 to 23.99	8.60	54.00 to 54.99	13.40
24.00 to 24.99	8.80	55.00 to 55.99	13.50
25.00 to 25.99	9.00	56.00 to 56.99	13.60
26.00 to 26.99	9.20	57.00 to 57.99	13.70
27.00 to 27.99	9.40	58.00 to 58.99	13.80
28.00 to 28.99	9.60	59.00 to 59.99	13.90
29.00 to 29.99	9.80	60.00 to 185.99	14.00
30.00 to 30.99	10.00	186.00 to 199.99	Increase to 200.00
31.00 to 31.99	10.20	200.00 and over	No increase

Section IX. DEDUCTION INCURRED ON OTHER FARMS.

1. Other farms in Licking County. If a person who has made application for payment with respect to any farm in Licking County has an interest as landlord or tenant in any other farm in Licking County which qualifies for neither a maintenance payment nor a building payment as calculated under Section IV, the payment which otherwise would be made to such person shall be decreased by an amount equal to such person's share of the deduction with respect to such other farm.

The deduction for each acre of cropland in such other farm shall be equal to 1.25 cents for each point (0.01) by which the 1939 productivity balance value is below the lower extreme of the payment scale.

Any deduction computed for a farm in accordance with the above provision shall be divided among the landlords and tenants in the same proportion (as indicated by their acreage shares expressed in terms of either proportionate acreages or percentages) that such persons are entitled, at the time the crops are harvested, to share in the proceeds (other than a fixed commodity payment) of the crops grown on the farm in 1939.

2. Other farms in the State. If the deductions computed for a landlord or tenant with respect to one or more farms in a county exceed the payments computed for such landlord or tenant on other farms in such county, the amount of such excess deductions shall be deducted from the payments computed for such landlord or tenant with respect to any other farms in the State, if the State committee finds that the crops grown and practices adopted on the farms with respect to which such deductions are computed substantially offset the contribution to the program made on such other farms.

Section X. DEDUCTIONS FOR ASSOCIATION EXPENSES.

There shall be deducted pro rata from the payments with respect to any farm in Licking County all or such part as the Secretary may prescribe of the estimated administrative expenses incurred or to be incurred by the Licking County Agricultural Conservation Association.

Section XI. GENERAL PROVISIONS RELATING TO PAYMENTS.

1. Payment Restricted to Effectuation of Purposes of the Program. All or any part of any payment which otherwise would be made to any person under the 1939 Agricultural Conservation Program may be withheld (1) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the program, (2) if by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized, or (3) if, with respect to forest land or woodland owned or controlled by him, he adopts any practice which the director of the North Central Division finds is contrary to sound conservation practices.
2. Payment Computed and Made Without Regard to Claims. Any payment or share of payment shall be computed and made without regard to questions of title under State law, without deduction of claims for advances (except as provided in subsection 4 of this Section XI) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

3. Changes in Leasing and Cropping Agreements, Reductions in Number of Tenants, and Other Devices.

If on any farm in 1939 any change of the arrangements which existed on the farm in 1938 is made between the landlord and the tenants and such change would cause a greater proportion of the payments to be made to the landlord under the 1939 Agricultural Conservation Program than would have been made to the landlord for performance on the farm under the 1938 Agricultural Conservation Programs, payments to the landlord under the 1939 Agricultural Conservation Program with respect to the farm shall not be greater than the amount that would have been paid to the landlord if the arrangements which existed on the farm in 1938 had been continued in 1939, if the county committee certifies that the change is not justified and disapproves such change.

If on any farm the number of share tenants in 1939 is less than the average number on the farm during the years 1936 to 1938, inclusive, and such reduction would increase the payments that would otherwise be made to the landlord, such payments to the landlord shall not be greater than the amount that would otherwise be made, if the county committee certifies that the reduction is not justified and disapproves such reduction.

If the State committee finds that any person who files an application for payment pursuant to the provisions of the 1939 Agricultural Conservation Program has employed any other scheme or device, the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which such other person would normally be entitled, the Secretary may withhold in whole or in part from the person participating in or employing such a scheme or device, or require such person to refund in whole or in part, the amount of any payment which has been or would otherwise be made to such person in connection with the 1939 Agricultural Conservation Program.

4. Assignments. Any person who may be entitled to any payment in connection with the 1939 Agricultural Conservation Program may assign his interest in such payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1939. No such assignment will be recognized unless (1) the assignment is made in writing on Form ACP-69 in accordance with instructions issued by the Agricultural Adjustment Administration and is filed in the office of the county agricultural conservation association; (2) the farmer files with the assignment a statement that the assignment is made to pay or secure an indebtedness incurred in connection with financing the making of a crop in 1939 and not to pay or secure any preexisting indebtedness; and (3) the person to whom such assignment is made certifies that the payment is being assigned without discount

for such purpose. Nothing contained in this Section XI, shall be construed to give an assignee a right to any payment other than that to which the farmer is entitled nor shall the Secretary or any disbursing agent be subject to any suit or liability if payment is made to the farmer without regard to the existence of any such assignment.

5. Cotton Acreage in Excess of Allotment. Any person who knowingly plants cotton on his farm in 1939 on acreage in excess of the cotton acreage allotment established for the farm for 1939 shall not be eligible for any payment under the provisions of the 1939 Agricultural Conservation Program. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1939 on acreage in excess of the cotton acreage allotment for the farm for 1939 shall be presumed to have knowingly planted cotton on his farm on acreage in excess of such farm cotton acreage allotment if notice of the farm allotment is mailed to him prior to the completion of the planting of cotton on the farm, unless the farmer establishes the fact that the excess acreage was planted to cotton due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. Such notice, if mailed to the operator of the farm, shall be deemed to be notice to all persons sharing in the production of cotton on the farm in 1939.

Section XII. PAYMENTS LIMITED TO \$10,000.

The total of all payments made in connection with programs for 1939 under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate with respect to farms, ranching units, and turpentine places located within a single State, territory, or possession, shall not exceed the sum of \$10,000. The total of all payments made in connection with programs for 1939 under section 8 of the Soil Conservation and Domestic Allotment Act to any person other than an individual, partnership, or estate with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) shall not exceed the sum of \$10,000.

All or any part of any payment which has been or otherwise would be made to any person under the 1939 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization or formation of any corporation, partnership, estate, trust, or by any other means, which was designed to evade, or would have the effect of evading, the provisions of this section.

Section XIII. APPLICATION FOR PAYMENT.

1. Persons Eligible to File Applications. An application for payment with respect to a farm may be made by any person for whom, under the provisions of Section VII, a share in the payment with respect to the farm may be computed and (1) who

at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (2) who is owner of such farm and participates thereon in 1939 in carrying out approved soil-building practices.

2. Time and Manner of Filing Application and Information Required.

Payment will be made only upon application submitted through the county office. The Secretary reserves the right (1) to withhold payment from any person who fails to file any form or furnish any information required with respect to any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if such application or any other form or information required is not submitted to the county office within the time fixed by the director of the North Central Division. At least two weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms. Such notice shall be given by nailing the same to the office of each county committee and making copies of the same available to the press.

3. Application for Other Farms. If a person has the right to receive all or a portion of the crops or proceeds therefrom produced on more than one farm in Licking County and makes application for payment with respect to one of such farms, such person must make application for payment with respect to all such farms which he operates or rents to other persons. Upon request by the State committee such person shall also file with the committee such information as it may request regarding any other farm in the State with respect to which he has the right to receive all or a portion of the crops or proceeds thereof.

Section XIV. APPEALS.

Any person may, within 15 days after notice thereof is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determination with respect to any of the following matters affecting any farm in which he has an interest; (1) eligibility to file an application for payment; (2) the productivity balance value; (3) the division of payment; (4) any other matter affecting the right to or the amount of his payment with respect to the farm. The county committee shall notify such person of its decision in writing within 15 days after receipt of such written request for reconsideration. If such person is dissatisfied with the decision of the county committee, he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee shall notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the regional director to review the decision of the State committee.

Section XV. BULLETINS, INSTRUCTIONS, AND FORMS.

The Agricultural Adjustment Administration shall prepare and issue such bulletins, instructions, and forms as may be required in administering the 1939 Agricultural Conservation Program for Licking County, Ohio.

[SEAL]

DONE at Washington, D. C., this
4th day of March, 1939. Witness
my hand and seal of the Department
of Agriculture.

/s/ H. A. WALLACE
Secretary of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
NORTH CENTRAL DIVISION
JAN 4 1939
U. S. Department of Agriculture1939 AGRICULTURAL CONSERVATION PROGRAM—NORTH CENTRAL REGION
RESTORATION LAND AND WIND-EROSION AREAProvisions Applicable Only in the
Wind-Erosion Area

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The provisions in this bulletin are part of the provisions for the 1939 Agricultural Conservation Program, North Central Region, and are to be used with the bulletin NCR-301 for the program.

SECTION 2. NATIONAL AND STATE RESTORATION-LAND GOALS

a. **National restoration-land goal.**—The national restoration-land goal is 6,000,000 acres of land which is unsuited to the continued production of cultivated crops.

b. **State restoration-land goals.**—The restoration-land goals for the States in the North Central Region are:

	Acres
(1) Nebraska.....	425,000
(2) South Dakota.....	550,000

SECTION 3. COUNTY RESTORATION-LAND GOALS

County goals for restoration land are established by distributing the State restoration-land goal among the counties in the wind ero-

sion area on the basis of the amount of land in such counties which has been cropped at least once since January 1, 1930, but on which, because of its physical condition and texture and because of climatic conditions, a permanent vegetative cover should be restored.

SECTION 4. FARM RESTORATION-LAND GOALS

The restoration-land goal for any farm will be the acreage of restoration land on the farm including the land designated as restoration land under the 1938 program and any additional land designated as restoration land in 1939.

SECTION 6. SOIL-DEPLETING CROPS AND LAND USES

Land planted to flax will be classified as soil depleting except when the flax is used as a nurse crop for biennial or perennial legumes or perennial grasses of which a good stand is established in 1939, or when matched acre for acre, by a good stand on cropland of biennial or perennial legumes seeded alone in 1939, or perennial grasses seeded alone after November 1, 1938, or in 1939. If a full seeding of rye is made on cropland or restoration land which is fine sandy loam or coarser, such land will not be classified as soil depleting if the rye is not pastured, harvested, or otherwise taken from the land.

SECTION 7. SOIL-BUILDING PRACTICES

Erosion Control.—

(26) Construction of 300 linear feet of ditching with a depth of 1 foot and a top width of 4 feet, or the cubic equivalent thereof, for the diversion and spreading of flood water on restoration land, cropland, pasture land, or hay land **—1 unit.**

(27) Leaving on the land as a protection against wind erosion the stalks of sorghums, broomcorn, or Sudan grass, classified as soil depleting, where it is determined by the county committee that such cover is necessary as a protection against wind erosion and the operator's farming plan provides that such cover will be left on the land until the spring of 1940 **—1/4 unit per acre.**

(28) Protecting summer-fallowed acreage from wind and water erosion by contour listing, pit cultivation, or incorporating stubble and straw into the surface soil. No credit will be given for this practice on any farm when carried out on light sandy soils or on soils in any area where destruction of the vegetative cover results in the land's becoming subject to serious wind erosion—**1/4 unit per acre.**

(29) Contour listing except when carried out on protected summer-fallowed acreage or as a part of a seeding operation—**1/8 unit per acre.**

(30) Pit cultivation, pits to be at least 4 inches in depth below surface of soil and constructed so that surface of pit covers at least 25 percent of the ground surface. No credit will be given for this practice when carried out on protected summer-fallowed acreage or as a part of a seeding operation **—1/10 unit per acre.**

SECTION 8. PAYMENT FOR FULL PERFORMANCE

Fifty cents per acre for each acre in the restoration-land goal established for the farm.

SECTION 9. PAYMENTS FOR PARTIAL PERFORMANCE

Payments computed for the farm will be subject to deductions at the following rates:

a. Restoration-land goals.—\$1 for each acre in the restoration-land goal for which there are not carried out in 1939 conservation measures specified by the county committee.

b. Cropping restoration land.—\$3 for each acre in the restoration-land goal which is plowed or tilled in 1939 for any purpose other than tillage practices to protect the land from wind erosion or tillage operations necessary for the seeding of perennial grasses.

c. Breaking out native sod.—\$3 for each acre of native sod or any other land on which a permanent vegetative cover has been established, broken out during the period November 1, 1938, to October 31, 1939, inclusive, except the acreage broken out with the approval of the county committee as a good farming practice for which an acreage of cropland other than restoration land is restored to permanent vegetative cover.

d. Failure to prevent wind and water erosion.—\$1 for each acre of land other than restoration land for which there are not adopted in 1939 methods recommended by the county committee and approved by the State committee for the prevention of wind and water erosion.

SECTION 10. DIVISION OF PAYMENTS AND DEDUCTIONS

The net payment or net deduction computed for the restoration-land goal for any farm will be divided equally between the owners and the operators unless the county committee determines that the owners and operators did not contribute equally to the acreage in the restoration-land goal and to the carrying out of restoration-land measures. In the event of such determination the payment or deduction will be divided in the proportion that the county committee determines that the owners and operators contributed to the acreage in the restoration-land goal and to the carrying out of restoration-land measures.

SECTION: PATENT FOR FULL PERFORMANCE

It is hereby declared that the full performance of the patent is hereby granted to the patentee.

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